
CALIFORNIA HISTORICAL LANDMARKS SERIES

Edited by John Adam Hussey

ARMISTICE OAK TREE SITE - SANTA CLARA COUNTY

Registered Landmark No. 260

by

Benjamin Rader

OFFICE OF THE DISTRICT ATTORNEY

San Francisco, California

STATE OF CALIFORNIA - SAN FRANCISCO COUNTY

Filed for Record January 10, 1901

Page 1

For Record

ARMISTICE OAK TREE SITE

Three miles west of the historic old mission city of Santa Clara, at a place now known as Lawrence Station Crossing, stands a mighty oak tree with wide spreading branches, under which, on the eighth day of January 1847, an important page was added to California's colorful history, when Captain Francisco Sanchez, last of the native Californians to rebel against the American¹ occupancy in ⁿ Northern California, laid down his arms. 5

WOTP > Old when the State of California was young, this historic tree stands today, as sturdy and as vigorous as it was on that winter's day ninety-four years ago when the gallant Californian leader bowed gracefully to fate and surrendered his band of patriots to a superior force.

To reach ^{is reached} This landmark from San Francisco, ~~one~~ by taking ^{no.} must take the U. S. Highway 101 ^{at} the junction of Fell Street and Van Ness Avenue in that city, turn into Mission Street and follow it ^{south} through Daly City into San Mateo County.

WOTP # Plenty of beautiful scenery and fertile farms

-
1. Following the precedent of historians the term "American" as used throughout this monograph, refers to non-Californians (whether United States citizens or not), who took part in the conquest of California,

1. As the term, "American" is used almost universally by historians when referring to non-Californians, whether United States citizens or not, who took part in the conquest of California, we shall, for the sake of clarity, do the same in this work; although the native-born Californian had as much, if not more, right to that title.

John P. ...

1 word

greet the eye as one proceeds in a south~~e~~asterly direction; Tanforan~~o~~ with its race tracks; San Bruno, famous for its importance as a stage station in the '50's; Burlingame, the mecca of the tired business man, with its countless golf links and polo fields; and many other thriving little cities dot the landscape.

After passing through Palo Alto, the home of one of the ~~world's finest colleges~~ *Stanford University*, San Mateo County is left behind and Highway No. 101 enters Santa Clara County, cutting through miles and miles of orchards: fruit trees that are a white and pink mantle covering the valley in blossom time, and a riot of yellow and purple fruit in the summer.

No # On the right side of the highway, near Lawrence Station, 42.6 miles from San Francisco and 3.3 miles from Santa Clara,² stands the Armistice Oak, where the American settlers and native Californians, weary from the Battle of Santa Clara, or as it was known for many years, the "Battle of the Mustard Stalks," signed a truce that endures to this day.

Historians disagree ~~some of them violently~~ on the subject of the conquest of California. Charges, counter-charges, denials and abuse have been hurled back and forth by those who have recorded history in the past ninety years; and literally barrels of ink have been used, trying to

2. Federal Writers' Project, California: A Guide to the Golden State, 368-380.

justify the unjustifiable; or ~~in vilifying certain~~ ^{the} early California pioneers ~~who~~ only did what manifest destiny compelled them to do, and who, for the greater part, acted as they thought best, according to their own lights.

One fact is clear: the United States always wanted California. ^{she} ~~We~~ needed it - not for its gold, nor yet for its fertile land, but for its seaports. As early as 1835, Andrew Jackson tried to buy it from Mexico, but was unsuccessful. Mexico was in the position of an aged and infirm ^{hidden} ~~parent~~ trying to ^{control a vigorous and intractable child.} ~~govern~~ a young but lusty youngster. California was rapidly growing away from the mother country.

The United States realized this, and was not averse to a revolution that would give the Californians their freedom, but there was the bugbear of England, and Russia, whose battleships were constantly patrolling Pacific waters. California would be ripe picking for either of those nations - ^{or} ~~or~~ for France - should ^{she} ~~California~~ stand unprotected by a ^{larger} ~~larger~~ country.

Long before the ~~&~~ Bear Flag ~~Revolt~~^d of the American settlers, there had been rumblings of revolution in California. In 1831, Governor Victoria was deposed, and in 1836, Governor Chico was frightened out of the province. His successor, Governor Nicholas Gutierrez was driven out of office the same year, and in 1844, Governor Manuel Micheltorena was ousted. Leading Californians, mostly native-born, headed

this last revolt. There was much talk about independence from Mexico. California was ripe for a change, but sectional and personal jealousies could not be overcome. Then, too, the average Californian hated and distrusted the Americans more than they did Mexico.

This was the state of affairs in 1845, when Thomas Larkin, the United States Consul at Monterey, was instructed to work for the secession of California from Mexico - without "overt aid" from the United States. He made friends with many wealthy and influential Californians, among them ~~M. G.~~

M. G. Vallejo, and promised them the "good will and sympathy" of the United States in event of a revolution. Larkin was assured that such an event would take place before 1848.³ Just what the United States proposed to do in such an eventuality is not known, but several ^{1 word} battle ships were sent to occupy Pacific ports to be on hand in case the long threatened war with Mexico should become an actuality.

A great many settlers had come from the states to make their homes in California, and although the Mexican government looked upon this with some apprehension, the California officials were inclined to be tolerant. Why worry? Was there not plenty of land for all?

3. "California," Encyclopedia Britannica, ? (), 595-596.

volume ↑ *year*

*Typical of the
efforts of the
Americans to
bring about
the secession.*

?

Then came the event that has caused more controversy than any other in all of California's colorful history, and which lifted an obscure young army captain into the nation's limelight and nearly seated him in the president's chair a few years later: Fremont's⁴ third expedition to the ~~Pacific~~^{West} Coast. Ostensibly on a surveying expedition to determine the best routes to the Pacific Coast, Fremont with sixty-two armed men, arrived at Sutter's Fort on December 9, 1845. Leaving most of his forces there, he proceeded to Yerba Buena, and thence to Monterey, arriving at the latter place on the 29th day of January 1846, where he was granted an audience with General Jose Castro, who was in command of the military forces of the Californians.⁵ From him, Fremont, who denied stoutly that his army was anything more than a group of surveyors, asked and was granted⁶ permission to remain in California long enough to obtain supplies before

4. "John Charles Fremont," Encyclopedia Britannica, XI (), 97-98.

*Mr. Murray.
No 4 as Mr Reader wrote
it is on the other side
of this page*

5. William F. Swasey, The Early Days and Men in California, 105.

- A
4. John Charles Fremont was born in Savannah, Georgia, January 21, 1813. His father was a native of France and his mother was a member of an aristocratic Virginia family. Until his twenty-fifth year nearly all his training had been to fit him for a professor of Mathematics, but in 1838, he chose to serve as an assistant engineer on a surveying expedition in the West Virginia mountains. Soon afterward, he was appointed second lieutenant of Topographical Engineers in the United States Army. - Between 1842 and 1845, he made two trips to the Pacific Coast, mapping the best routes to California and Oregon. In 1845, he made a third expedition for the professed purposes of further explorations, as well as for the secret purpose of assisting the United States, in case of war with Mexico, to gain possession of California. The extent of his responsibility for the events that ensued is not clear. After the conquest, he made one more expedition to the coast, seeking a path for a railway. He served one term as U. S. Senator from the new State of California, but was defeated for a second. In 1856, was nominated by the Republican Party for the presidency of the United States, but was defeated by Buchanan. From 1878 to 1881, he served as Governor of the territory of Arizona, and the last year of his life he was appointed a Major-general by an act of Congress, and placed on the retired list. He died in New York, July 13, 1890. Encyclopedia Britannica, John Charles Fremont, XI, 97-98.

resuming his journey to Oregon.⁶

However, Fremont did not leave California immediately. He gathered his band together, and in the middle of February marched to San Jose where he met a portion of his original party from which he had become separated. From there he marched south again and camped at a spot near Monterey.⁷

Castro, who had become suspicious of Fremont since the latter had marched South instead of North, sent Lieutenant Chavez to Fremont's camp with an order to leave California. If he did not leave, said the order, he, Castro, would drive him out. Answering fire with fire, the hot-headed Fremont told Chavez that he considered the order to be an insult to himself and to his country, and added that he would leave when it suited him, and not before. Repairing to a nearby hill, Gavilan Peak, he hoisted the Stars and Stripes, built a fort of logs, and dared the doughty Castro to dislodge him.⁸ Fremont remained in possession of the hill for three days. Late in the afternoon of the second day, Castro led a cavalry charge against the Americans, but stopped short when Fremont's men showed a willingness to defend their position.

6. Edwin L. Sabin, Kit Carson Days, 246-247.

7. John Charles Fremont, Memoirs of My Life, 650.

8. Franklin Tuthill, History of California, 163-165.

...his journey to Oregon...

...the first...

...the second...

...the third...

...the fourth...

...the fifth...

...the sixth...

...the seventh...

...the eighth...

...the ninth...

...the tenth...

...the eleventh...

...the twelfth...

...the thirteenth...

...the fourteenth...

...the fifteenth...

...the sixteenth...

...the seventeenth...

...the eighteenth...

...the nineteenth...

...the twentieth...

...the twenty-first...

...the twenty-second...

...the twenty-third...

...the twenty-fourth...

...the twenty-fifth...

...the twenty-sixth...

...the twenty-seventh...

...the twenty-eighth...

...the twenty-ninth...

...the thirtieth...

...the thirty-first...

...the thirty-second...

...the thirty-third...

...the thirty-fourth...

...the thirty-fifth...

...the thirty-sixth...

...the thirty-seventh...

...the thirty-eighth...

...the thirty-ninth...

...the fortieth...

...the forty-first...

...the forty-second...

...the forty-third...

...the forty-fourth...

...the forty-fifth...

...the forty-sixth...

...the forty-seventh...

...the forty-eighth...

...the forty-ninth...

...the fiftieth...

...the fifty-first...

...the fifty-second...

...the fifty-third...

...the fifty-fourth...

...the fifty-fifth...

...the fifty-sixth...

...the fifty-seventh...

...the fifty-eighth...

...the fifty-ninth...

...the sixtieth...

...the sixty-first...

...the sixty-second...

...the sixty-third...

...the sixty-fourth...

...the sixty-fifth...

...the sixty-sixth...

...the sixty-seventh...

...the sixty-eighth...

...the sixty-ninth...

...the seventieth...

...the seventy-first...

...the seventy-second...

...the seventy-third...

...the seventy-fourth...

...the seventy-fifth...

...the seventy-sixth...

...the seventy-seventh...

...the seventy-eighth...

...the seventy-ninth...

...the eightieth...

...the eighty-first...

...the eighty-second...

...the eighty-third...

...the eighty-fourth...

...the eighty-fifth...

...the eighty-sixth...

...the eighty-seventh...

...the eighty-eighth...

...the eighty-ninth...

...the ninetieth...

...the ninety-first...

...the ninety-second...

...the ninety-third...

...the ninety-fourth...

...the ninety-fifth...

...the ninety-sixth...

...the ninety-seventh...

...the ninety-eighth...

...the ninety-ninth...

...the hundredth...

...the hundredth...

...the hundred-first...

...the hundred-second...

...the hundred-third...

...the hundred-fourth...

...the hundred-fifth...

...the hundred-sixth...

...the hundred-seventh...

...the hundred-eighth...

...the hundred-ninth...

...the hundred-tenth...

...the hundred-eleventh...

...the hundred-twelfth...

...the hundred-thirteenth...

...the hundred-fourteenth...

...the hundred-fifteenth...

...the hundred-sixteenth...

...the hundred-seventeenth...

...the hundred-eighteenth...

...the hundred-nineteenth...

...the hundred-twentieth...

...the hundred-twenty-first...

...the hundred-twenty-second...

...the hundred-twenty-third...

...the hundred-twenty-fourth...

...the hundred-twenty-fifth...

...the hundred-twenty-sixth...

...the hundred-twenty-seventh...

...the hundred-twenty-eighth...

...the hundred-twenty-ninth...

...the hundred-thirtieth...

...the hundred-thirty-first...

...the hundred-thirty-second...

...the hundred-thirty-third...

...the hundred-thirty-fourth...

...the hundred-thirty-fifth...

...the hundred-thirty-sixth...

...the hundred-thirty-seventh...

...the hundred-thirty-eighth...

...the hundred-thirty-ninth...

...the hundred-fortieth...

...the hundred-forty-first...

...the hundred-forty-second...

...the hundred-forty-third...

...the hundred-forty-fourth...

...the hundred-forty-fifth...

...the hundred-forty-sixth...

...the hundred-forty-seventh...

...the hundred-forty-eighth...

...the hundred-forty-ninth...

...the hundred-fiftieth...

...the hundred-fifty-first...

...the hundred-fifty-second...

...the hundred-fifty-third...

...the hundred-fifty-fourth...

...the hundred-fifty-fifth...

...the hundred-fifty-sixth...

...the hundred-fifty-seventh...

...the hundred-fifty-eighth...

...the hundred-fifty-ninth...

...the hundred-sixtieth...

...the hundred-sixty-first...

...the hundred-sixty-second...

...the hundred-sixty-third...

...the hundred-sixty-fourth...

...the hundred-sixty-fifth...

...the hundred-sixty-sixth...

...the hundred-sixty-seventh...

...the hundred-sixty-eighth...

...the hundred-sixty-ninth...

...the hundred-seventieth...

...the hundred-seventy-first...

...the hundred-seventy-second...

...the hundred-seventy-third...

...the hundred-seventy-fourth...

...the hundred-seventy-fifth...

...the hundred-seventy-sixth...

...the hundred-seventy-seventh...

...the hundred-seventy-eighth...

...the hundred-seventy-ninth...

...the hundred-eightieth...

...the hundred-eighty-first...

...the hundred-eighty-second...

...the hundred-eighty-third...

...the hundred-eighty-fourth...

...the hundred-eighty-fifth...

...the hundred-eighty-sixth...

...the hundred-eighty-seventh...

...the hundred-eighty-eighth...

...the hundred-eighty-ninth...

...the hundred-ninetieth...

...the hundred-ninety-first...

...the hundred-ninety-second...

...the hundred-ninety-third...

...the hundred-ninety-fourth...

...the hundred-ninety-fifth...

...the hundred-ninety-sixth...

...the hundred-ninety-seventh...

...the hundred-ninety-eighth...

...the hundred-ninety-ninth...

...the two hundredth...

No shots were fired by either side. Although greatly outnumbered, Fremont arrayed his men for battle, and placed some forty of them in a thicket a little way down the hill to ambush the Californians - who never came. After giving Castro three days to execute his threat, Fremont slowly withdrew.

no # After evacuating Gavilan Peak, Fremont marched his band toward Oregon.

In a letter to his wife, written from somewhere on the Sacramento River on April 1, 1846, Fremont says:¹⁰

... my sense of duty did not permit me to fight them but we retired slowly and growlingly. They had between three and four hundred men and three pieces of artillery, and were raising the country against me with a false and scandalous proclamation. . . I refrained from a single hostile act, for I did not dare to compromise the United States, against which appearances would have been strong. . .

The proclamation to which Fremont referred was issued by General Castro after Fremont's withdrawal. Copies of it were posted in all principle California towns. It read:¹¹

read: "

March 8, 1846

Fellow Citizens:

A band of robbers commanded by a captain of the United States Army, John C.

9. John Charles Fremont, "Conquest of California," Century Magazine, XLI (XIX New Series) (April 1891), 921; also Zoeth Skinner Eldredge, History of California, III, 17, who states that one Martin, who was with Fremont's company, left a MS. in which he says that Thomas O. Larkin, Consul at Monterey, ordered Fremont to evacuate Gavilan Peak.

10. Fremont, op. cit., ~~921~~ XLI, 921.

11. Robert Glass Cleland, A History of California; the American Period, 196.

manuscript

Fremont, have, without respect to the laws or authorities of the Department daringly introduced themselves into the country and disobeyed the orders, both of your commander-in-chief, and of the Prefect of the district by which he was required to march forthwith out of the limits of our territory: and without answering their letters he remains encamped at the farm, Natividad.//. In the name of our Native Country, I invite you to place yourselves under my immediate orders at headquarters, where we will prepare to lance the ulcer which (should it not be done) would destroy our liberty and independence for which you ought to sacrifice yourselves, as will your fellow-citizens.

Signed Jose Castro

Headquarters at "San Juan."

Signature of Jose Castro

Headquarters at "San Juan"

Double space only

After this somewhat bombastic proclamation, and when he had ~~had~~ learned of Fremont's departure, Castro issued another public notice, in which he attributed the departure of the Americans to fear. He averred that Fremont had fled, leaving clothing and war material behind, at the sight of two hundred patriots.

The historian, Bancroft, is particularly bitter against Fremont for what he terms a lawless, unnecessary act. Certainly, Fremont was rash, and undoubtedly the affair at Gavilan Peak did much to sever our friendly relations, which were

The already strained

12. Eldredge, History of California, III, 17. For various accounts of the affair at Gavilan Peak, see Swasey, The Early Days and Men in California, 105-107; and Tuthill, History of California, 162-164, for other accounts of the Gavilan Peak affair.

add to footnote #13 - ? page 9 -

which were already somewhat frayed, with the native Californians. Edwin L. Sabin, an early day ^{writer} historian, says that Fremont's action at Gavilan Peak was unwarranted, and that he was as much a freebooter as was Sir Francis Drake. ¹³

To understand just what caused the peaceful farmers of the Santa Clara Valley to arm and rise against the Americans, we must follow the path of John C. Fremont a little farther.

Woff At Klamath Lake, near the Oregon border, early in May, Lieutenant Gillespie overtook Fremont, bearing verbal orders from Washington, and some letters from the latter's father-in-law, Senator Benton. Just what the verbal orders were will forever remain a secret. It is said by some historians that Gillespie brought news of the declaration of war between Mexico and the United States, ¹⁴ but this seems hardly possible, for that war was not officially declared until May 13th. ~~only a few days prior to the lieutenant's arrival in California.~~ Fremont himself, denies that such was the message, but whatever it was, it caused him to turn his expedition around and head back to the Sacramento Valley on the double-quick.

June 7th found him back at Sutter's Fort, where

- Rancho, History of California, V, ?*
13. Sabin, Kit Carson Days, 246-247.
 14. ~~Dewitt~~ C. Peters, Kit Carson's Life and Adventures, 255.

Dewitt

rumors of a general Mexican uprising, under General Castro, to drive all American settlers out of California, greeted him.¹⁵ He also found that a story had been circulated by Castro that he, Fremont, had been driven out of California because three of his soldiers had insulted one of the daughters of General Castro's uncle at Monterey. This charge was investigated by Fremont, who found that three of his men, while buying beef, had called ~~at~~ *the home of* Castro's uncle's house in an intoxicated condition, and had insisted that the young lady of the house join them in a drink. Fremont immediately fined the guilty men five dollars each,¹⁶ which did little to lessen the tension between the Californians and the Americans. Each side seemed to be waiting for ~~an overt act by the enemy~~ *the other to take the offensive,* Fremont surmised that war must ~~be~~ *have been* declared by that time, but he had no means of knowing for certain. It fell to the lot of the Americans, however, to make the first overt act; but before ~~we condemn~~ *is condemned* Fremont, too severely, ~~we~~ *he* must acknowledge that ~~the captain,~~ viewing the situation in the light of what he knew about California and President Polk's decision to acquire it, ~~pursued~~ *The course he was* not altogether blameworthy, ~~course~~.

Rumors ~~(whether of American or Mexican origin, we do not know)~~ *of unknown origin* reached the men at Fremont's camp that a band

15. Fremont, Memoirs of My Life, 650.

16. J. M. Cutts, Conquest of California and New Mexico, 144, as quoted by Bancroft, History of California, V, 5.

records of a general Mexican history, and a general history
 to give all American readers a general history of
 the country, and a general history of the country.
 The first of these, the general history of the country,
 is a general history of the country, and a general history
 of the country, and a general history of the country.
 The second of these, the general history of the country,
 is a general history of the country, and a general history
 of the country, and a general history of the country.
 The third of these, the general history of the country,
 is a general history of the country, and a general history
 of the country, and a general history of the country.
 The fourth of these, the general history of the country,
 is a general history of the country, and a general history
 of the country, and a general history of the country.
 The fifth of these, the general history of the country,
 is a general history of the country, and a general history
 of the country, and a general history of the country.
 The sixth of these, the general history of the country,
 is a general history of the country, and a general history
 of the country, and a general history of the country.
 The seventh of these, the general history of the country,
 is a general history of the country, and a general history
 of the country, and a general history of the country.
 The eighth of these, the general history of the country,
 is a general history of the country, and a general history
 of the country, and a general history of the country.
 The ninth of these, the general history of the country,
 is a general history of the country, and a general history
 of the country, and a general history of the country.
 The tenth of these, the general history of the country,
 is a general history of the country, and a general history
 of the country, and a general history of the country.

10. The general history of the country, and a general history
 of the country, and a general history of the country.
 11. The general history of the country, and a general history
 of the country, and a general history of the country.
 12. The general history of the country, and a general history
 of the country, and a general history of the country.

of horses were being driven from Sonoma to Santa Clara to be used by soldiers in Castro's army to drive the Americans from California. Whether or not it was by Fremont's orders does not matter. Certainly it was ^{with} his knowledge and consent that a small band of settlers, under the leadership of Ezekiel Merritt, armed themselves, seized the band of horses, which were being driven to Santa Clara by Lieutenant Darce of the Mexican army, and sent word to General Castro that if he wanted his horses he could come and get them.¹⁷

not → The horses were driven to Fremont's camp, and the Mexicans regarded this as an act of robbery, ~~no more, no less.~~

Next came the so-called "Bear Flag" revolt. On June 13, 1846, a party of American settlers, under the leadership of William Ide, Ezekiel Merritt, Doctor Semple, and a man named McKnight, seized the garrison at Sonoma and arrested General M. G. Vallejo (who had always been friendly to the Americans), his brother Salvador, his brother-in-law, Jacob Leese, and Colonel Pruden, ^aCommander of the garrison. A quantity of arms and ammunition was also seized. Terms of surrender were drawn up for Vallejo to sign. The general knew it was folly to resist, and despite his chagrin, remained what he had always been: a perfect gentleman and a genial host. He invited the spokesmen; McKnight, Merritt

17. Cleland, History of California; the American Period, 201.

The first of these was the fact that the
 Government had been unable to secure the
 necessary funds to carry out its policy.
 The second was the fact that the
 Government had been unable to secure the
 necessary funds to carry out its policy.
 The third was the fact that the
 Government had been unable to secure the
 necessary funds to carry out its policy.
 The fourth was the fact that the
 Government had been unable to secure the
 necessary funds to carry out its policy.
 The fifth was the fact that the
 Government had been unable to secure the
 necessary funds to carry out its policy.
 The sixth was the fact that the
 Government had been unable to secure the
 necessary funds to carry out its policy.
 The seventh was the fact that the
 Government had been unable to secure the
 necessary funds to carry out its policy.
 The eighth was the fact that the
 Government had been unable to secure the
 necessary funds to carry out its policy.
 The ninth was the fact that the
 Government had been unable to secure the
 necessary funds to carry out its policy.
 The tenth was the fact that the
 Government had been unable to secure the
 necessary funds to carry out its policy.

and Semple, into his living quarters. When they failed to reappear after an undue lapse of time, one Grigsby was sent in to see what was causing the delay. Grigsby was gone so long that William B. Ide was sent in. He found General Vallejo smilingly pouring wine and brandy, and ^{the Americans} his (Ide's) ~~four brothers-in-arms~~ so intoxicated that they were incapable of transacting business.

No # After a great deal of trouble, Ide presented the articles of surrender, which General Vallejo and his three companions signed before being taken to Fremont's Camp as prisoners of war.¹⁸

Captain Fremont, to the end of his days, disclaimed any responsibility for this act, and claimed that he did not know it had occurred until the following day when the news was brought to him by a courier. However, according to a letter written by William Ide to Commodore Stockton on June 15, 1846, the former states that he was "encouraged" by the known presence of Captain Fremont's command in the valley.¹⁹

The following day, William Ide and his party took possession of Sonoma in the name of the "Bear Flag Republic." A flag was needed. A piece of flour-sacking, ^{and} ~~together with~~

18. Cleland, History of California; the American Period, 202.
 19. Fremont, Memoirs of My Life, 522, 523.

some berry juice were produced; and with those rude materials, one of the men, William Todd (reputed to have been a nephew of Mrs. Abraham Lincoln) ~~who had a flair for art~~, painted a picture ~~of a grizzly bear on a~~ ^{the} none too white background. The astounded Californians ~~thought~~ it was a picture of a pig, and referred to it as "Coche."²⁰

After the Bear Flag episode, feeling among the Californians ran high against the Americans. Castro and Governor Pico, who were old-time ^{OK} political enemies agreed to bury the hatchet and unite against the common foe. General Castro protested loudly to Commander Montgomery at Yerba Buena and demanded ~~of the naval officer an~~ explanation of Captain Fremont's ^{OK} highhanded conduct. Montgomery replied, on June 18, that Fremont, neither on the authority of the United States government, ~~nor~~ otherwise, had anything to do with the Bear Flag episode. However, in an entry in the commander's diary for June 28, 1846, he notes that he was embarrassed by a visit from Lieutenant Gillespie, who informed him that Fremont had openly espoused the cause of the Bear Flag Republic!²¹

A few days after the seizing of Sonoma, two Americans were ambushed and killed by a band of Californians. In

20. John A. Bidwell, "Fremont in the Conquest of California," XLI (XIX New Series) (February 1891), 521.

21. Josiah Royce, "California," Century Magazine, XLI (XIX New Series) (March 1891), 780-783.

Century Magazine

Is the title correct?

is this correct title?

retaliation, Fremont ordered ~~one~~ ^{William} Wm. Ford, of the Bear Flag Party, to take sixty men and march against the forces of Lieutenant Padilla and Captain de la Torre that were encamped near Sonoma. Fremont, with seventy-two men, went along in case help should be needed. Ford's men drove the Californians into a cul-de-sac, and it might have gone badly for the Mexican forces but for a ruse played by de la Torre. He arranged for three Californian youths to be taken prisoners - easily. In their boots were concealed faked despatches, purportedly showing that General Castro was on his way to attack Sonoma. The ruse worked. Ford and Fremont dashed back to Sonoma *and* ~~and~~ the Californians made their escape.

The three unlucky boys who had been taken prisoners, however, (two brothers named Haro and a youth named Berryessa), all of prominent California families, were executed, supposedly to avenge the deaths of the two Americans, Kit Carson ^{ed} boasting later that he was the executioner.²²

The tension grew. Californians cried for vengeance. General Jose Castro²³ and Governor Pio Pico issued impassioned

-
22. Gertrude Atherton, California, an Intimate History, 110-111.
 Cleland, History of California; the American Period, 203.
 23. Bancroft, History of California, II, 752ff.

*Mr. Hussey
 see over for
 Mr. Baker's
 #23*

23. General Jose Castro, grandson of the head of the Castro clan in California, Macario Castro, was born in Monterey in 1810. He was a well-liked man and was reported to be a brave man and a good fighter. Beginning young, he seems to have been in some kind of trouble all his life. In 1829, and again in 1830, he was arrested for plotting insurrection against the Mexican government. In 1831, he was a member of the outlaw 'diputacion' that Governor Victoria refused to recognize. He was acting Governor

for a few months in 1835-6, but had trouble with his successor, Governor Chico, and took part in the ousting of Governor Gutierrez in 1837; later becoming Lieutenant-Commander under General Vallejo. In 1840, as Captain of the Monterey Company, he arrested the non-Mexicans, and personally took them to San Blas. Two years later he was promoted to Lieutenant-Colonel of the 'defensores,' and in 1844-45, he was the leader in the overthrow of Governor Micheltorena. After that, he became the Commandant-General of California. After his trouble with Fremont, he went to Mexico, but returned in 1848 to Monterey where he lived as a private citizen until 1853, at which time he returned to Mexico, where, in 1860, he was stabbed and killed by one Manuel Marquez, in a drunken brawl. Bancroft, History of California, 11, 752. ff.

appeals for men to join their forces so that they could march to Sonoma and put an end to the Bear Flag menace once and for all. But in spite of all appeals, the response was lukewarm. The Mexican and native Californian rancheros did not want war. They were peaceful and easy-going, ~~folk~~; and when early in July 1846, Pico marched north to join General Castro, he had but a scant one hundred followers. Castro and Pico met at San Luis Obispo, and what they might have done remains conjecture, for by this time, the Bear Flag was a thing of the past. Word had come that war had been declared between Mexico and the United States, and the Californian leaders realized that they would have to fight, not Fremont and a handful of settlers, but the entire United States, which was something entirely different.²⁴

The Californians, for the greater part, were not angry at the United States government, and the consensus of opinion seemed to be that they would not be treated worse under American rule than they had been under Mexican. However, they were deeply resentful toward the American settlers, especially those of the Bear Flag Party and Fremont's men. The latter, they considered brigands, and the former were looked upon as hoodlums and rowdies.²⁵

24. Cleland, History of California; the American Period, 204.

25. Ibid., 205.

On being appraised that a state of war existed between the United States and Mexico, Commodore Sloat, commanding the naval unit at Monterey, raised the American flag over that city and proclaimed California a part of the United States. On July 9, two days later, Commander Montgomery did the same at San Francisco. There was no resistance. Mexican ~~Alcaldes~~ were replaced by American ones. Fremont hastened to follow suit by hoisting the Stars and Stripes over the captured garrison of Sonoma on the 10th of July, and two days later, with one hundred and seventy-six men started south in pursuit of Castro.²⁶

Meanwhile at San Jose, Charles M. Weber, a young American who had come to California with General Bidwell's party in 1841, and who held a commission in the Mexican army, refused a captaincy in General Castro's forces, ^{Weber} and secretly planned with Captain Thomas Fallon, a Canadian, who had been with Fremont's outfit, to raise a band of settlers and join the Bear Flag Party. ~~Weber, however, had ill luck.~~ ^{Lowerer,} Castro became suspicious of ^{Weber} him and placed him under arrest. Because of a personal friendship ^{with Weber}, Castro spared his life, but escorted him to the Mexican border, and there

26, Dorothea Louise Schmitt. The Santa Clara Valley, 1846-1865, MS, 9. (M.A. thesis, University of California, 1928).

left him to return alone - if he dared.

As soon as the American settlers at San Jose and Santa Clara learned of the outbreak of war, they were eager to revolt. Thomas Fallon, who had prudently retired to the hills when Weber was deported, announced that he was ready to raise the American flag over the pueblo when it was wanted. Commander Montgomery at San Francisco advised that no flag be raised until the Americans at San Jose were in a position to defend it. ~~and~~ The Americans, some forty in number, announced their ability to do so. On July 13, 1846, Captain Fallon presented an American flag to the settlers, and it was raised over the courthouse.

Castro's men began to desert him at this time and he retreated south. August found him in Mexico, where he stayed until peace was restored.²⁷ Other Mexican leaders, including Manuel Castro, a cousin of General Jose Castro, and Jose Flores, were required by the United States government to sign parole papers, promising not to bear arms against the new government. Then, in September 1846, trouble arose in the South. Flores broke his parole, and gathered a force of loyal Californians around him to try to

27. Eldredge, History of California, III, 78; Schmitt, The Santa Clara Valley, 1846-1865, 8-10.

wrest California away from the Americans. Manuel Castro and several other former officers in the Mexican army joined him. General Kearny and Commodore Stockton moved to put down the rebellion.

Fremont, who was in Monterey, sailed south on the packet, Sterling, with one hundred and sixty men to join forces with Stockton, but learning from a ^{passing} boat that they ~~met on the way~~ that there were no horses available either in Santa Barbara or San Pedro, he turned back to Monterey - arriving there October 28, 1846. Officers were dispatched at once to secure the largest number of horses possible in the shortest period of time. How, it did not matter, so long as the mounts were forthcoming.

Receipts were given - to be paid when the war would have ended. Friends of the cause were treated with some courtesy, while the hostile and the lukewarm were ruthlessly plundered. The United States government later assumed obligation for these receipts, but the Californians had no means of knowing that this would be the case. They were deeply resentful, and regarded this as just another method of stealing horses. Also there were many freelance adventurers, some who had joined Fremont, and some entirely on their own, who commandeered horses and supplies, giving no receipts, or what was just as bad, worthless

was called away from the station. The man who
 had been with him in the station was called
 to him. The man who had been with him in the
 station was called to him.

The man who was in the station was called
 to him. The man who was in the station was
 called to him. The man who was in the station
 was called to him. The man who was in the
 station was called to him. The man who was
 in the station was called to him. The man
 who was in the station was called to him.

The man who was in the station was called
 to him. The man who was in the station was
 called to him. The man who was in the station
 was called to him. The man who was in the
 station was called to him. The man who was
 in the station was called to him. The man
 who was in the station was called to him.

Alcalde Chabolla of San Juan was beaten for refusing to give up his saddle. *W*

Many of the rancheros were left without horses with which to harvest their crops. Deep resentment was felt among the ranch owners; the older and more level-headed among them, lapsing *ed* into a stubborn silence, while the younger, more impetuous rancheros hastened to join with the rebels.

Early in October, Commander Hull of the United States sloop-of-war, *U* Warren, *U* who was also commander of the Northern District of California, commissioned Charles M. Weber (who had returned to San Jose in spite of Castro's warning) and John M. Murphy, *W* Captain and Lieutenant, respectively, in the land service for the war. A company of thirty-three men was raised, and headquarters was established in an old adobe building on Santa Clara Street in San Jose. This company acted as scouts and scoured the country in every direction in quest of possible attackers.

In this same month, several dozen American families reached Sutter's Fort, and on Sutter's advice went to the *M* Mission Santa Clara for the winter. Many of the men volunteered in the defense army. One man, Joseph Aram, was commissioned *C* Captain. Captain Aram raised a troop of thirty-five men from amongst the settlers and made his headquarters

at Santa Clara, so as to protect the newly-arrived families. He fortified the old mission, and barricaded the streets in anticipation of an attack from ~~roving~~ bands of armed Californians, who, it was rumored, were roaming the countryside.

Lieutenant Pinkney of the battleship ~~Savannah~~ ^{Savannah} was sent from San Francisco with sixty marines to form a military post at San Jose. He marched into the pueblo and took possession of the ~~juzgado~~ ^{word} (court house), which he converted into a barrack. ~~A fortress was thrown up around the court house, and a ditch two feet deep and one foot wide, was dug around the building, some sixty feet away; In this ditch were driven sharpened pikes some eight feet in height. Another, larger ditch was dug on the outside of this one, the dirt being thrown up against the stakes, thus forming a natural fortress. At each corner was a gate, and four~~ ^{A second and Encircled} ~~sentinels patrolled the walls day and night.~~ ³²

Meanwhile Fremont was busily gathering horses and supplies in Monterey, making ready to join Stockton in the south. On November 15, 1846, Captain Charles Burroughs, a ~~newly-arrived emigrant~~ ^{newcomer}, arrived from Sutter's Fort with thirty-four men and several hundred horses - the latter to

~~32. Weeks, Reminiscences, MS., 117, as quoted in Bancroft, History of California, V, 359.~~
 32. Frederic Hall, History of San Jose, 155-157.

be delivered to Captain Fremont at Monterey. On the same day, Thomas O. Larkin, the American ⁴ Consul at Monterey was kidnapped by a detachment of Manuel Castro's rebels under Lieutenant Chavez, and held ~~a~~ prisoner at Castro's ^c camp. The following morning, he was taken along, presumably as a hostage, by the Californians when they made an attack on Burroughs in an attempt to capture the horses. Captain Burroughs, who had been joined by Captain Thompson with a force equal to his own, met ^{them} ~~the enemy~~ at the Natividad Rancho near San Juan Bautista.

In the battle that followed, Burroughs and three or four other Americans lost their lives; ~~and the Californians lost a like amount.~~ ^{an equal number.} ~~Although the honors were even,~~ ^{Nevertheless,} the Americans regarded it as a victory as the Californians were forced to retreat - and they did not get the horses. Fremont, at Monterey, took no part in the affray, but hastened to San Jose immediately afterward. He searched the countryside for ^{Californians} the enemy, and finding none, he repaired to San Juan Bautista where he remained until November 29, when he started on his long-delayed trip to the south to join Stockton. ³³

Throughout the troublous days (the first ten months

33. Bancroft, History of California, V, 364-373.

of 1846) the "better class" of Californians in the Santa Clara region stayed on their ranchos and minded their own affairs. They did not love the gringos,³⁴ it is true, but neither did they have much liking for Mexico. A change might not be for the worse; and they accepted events with true Latin philosophy. They submitted, not cheerfully, but without resistance to the exchange of their animals and their food for Fremont's receipts. They even ~~endured~~ ^{tolerated} the seizing of various supplies by independent military organizations (that had no authority to issue receipts in the name of the United States government), although it tried their patience severely.

Their ~~patience~~ ^{endurance}, however, came to an end when it became evident that this method of 'exchange' was to continue after the departure of Fremont. The American-held garrisons at Monterey, San Francisco, Santa Clara and San Jose were amply fortified, and had ~~a sufficient~~ ^{an adequate} number of soldiers to insure protection for the families sojourning there. Food, on the other hand, was scarce, and Fremont's method of seizing animals and foodstuffs was resorted to by the battallion commanders.

Rancheros organized, under the leadership of

34. Henry Augustus Wise, Los Gringos, in the preface defines the word "gringo" as being a rather reproachful name used to designate the descendants of the Anglo-Saxon races in California and Mexico. ~~The definition of the word is somewhat similar to that of our own word, "greenhorn."~~

contemptible, wasn't it?

Francisco Sanchez³⁵ who had a large rancho in the upper Santa Clara Valley. Sanchez was likewise acting military commander of the Mexican garrison at San Francisco, but had been absent when the city was seized by the Americans.

Senor Sanchez had lost a great many horses and cattle to Fremont - also he had lost a herd of horses to Captain Weber, whom he did not like; and the horses were not his own - they had been entrusted to him by his friends, Mr. Howard and Mr. Mellus.³⁵

It is more than probable that Sanchez had no formulated plan in mind when he raised his band of rancheros and Yaqueros, but a chance for revenge early presented itself.³⁶ Lieutenant Bartlett,³⁷ acting alcalde of San Francisco and

35. Bancroft, History of California, V, 378-379.

36. Colton, Three Years in California, 1846-1849, 152, says of these Californians, "They were, with few exceptions, men of the better stamp - men who had a permanent interest in the soil, and who had refused to join the rash spirits of the south. . . . The Californians stated that they had taken up arms - not to make war on the American flag, but to protect themselves from the depredations of those who, under the color of that flag, were plundering them . . . and that on assurance being given that these acts of lawless violence would cease, they were willing to return quietly to their homes."

37. Eldredge, History of California, III, 88; Hall, History of San Jose, 157.

over

Mr Raden's #37

37. Captain Montgomery appointed Lieutenant Washington Bartlett of the U. S. Sloop-of-War, "Portsmouth," first American Alcalde, August 26, 1846. On the 15th of September following, he was elected by a vote of the people. On January 30, 1847, a notice appeared, signed by Bartlett, in the "California Star," Ordering the name "San Francisco," to be used instead of "Yerba Buena" on all public documents. He was ordered back to his ship, February 22, 1847, and Edwin Bryant was appointed alcalde in his stead. El dredge, History of California, III, 88. Hall, History of San Jose, 157, says Lieutenant Bartlett was from the United States sloop-of-war, "Warren."

five marines started down the peninsula on December 8th on a cattle-buying expedition a la Fremont. This was too good a chance ^{for Sanchez} to miss. Here was the man who was usurping his (Sanchez's) authority at San Francisco, and five men, intent on a plundering expedition quite near ^{his} the rancho, of Sanchez.

A small band of California rancheros was quickly organized, and the lieutenant and his five men were waylaid. The Americans offered no resistance to the superior force; they were disarmed, bound and taken into the hills where they were held prisoners. To do Sanchez justice, he never intended to harm the Americans. All he wanted ~~to do~~ was ^{to} hold them as hostages; to exact from the American forces a treaty that would protect them and their property, and put an end to this high ^{ok} handed method of obtaining supplies.

No act of violence was committed by the Californians, but in the eyes of the Americans, ^{settlers and soldiers alike}, this act of Sanchez was the outbreak of a new rebellion, in which the Californians, taking advantage of Fremont's absence, had risen for the purpose of driving out the emigrants.³⁸

38. Bancroft, History of California, V, 379-380.

Sanchez's³⁹ band, never as large as the Americans believed it to be, began to grow - until he had about one hundred fighting men. Some were impelled to enlist in his band because of exasperation over past losses, some, perhaps, were impelled by fear of vicarious punishment for Sanchez's deed. Also there was quite a number of veterans from General Jose Castro's dispersed army.

On Christmas Day, 1846 (somewhat tardily, it would seem, as Bartlett was kidnapped on the 8th of December), Captain Weber and thirty-three men marched to attack Sanchez. However, upon learning of Sanchez's superior strength, he changed his mind, and marched to San Francisco for reinforcements.⁴⁰

On the 26th, Sanchez advanced into the valley, traversed it in a southeasterly course around San Francisco Bay, and halted near the house of Jose Higuera, ten miles north of San Jose, keeping his six hostages with him. Two days later, he ordered his men to march on San Jose, hoping

39. Bancroft, History of California, V, 710; Mildred Brooke Hoover, Historic Spots in California; Counties of the Coast Range, 400.

Mr. Kussery

40. Hall, History of San Jose, 159.

over

Mr Radler's #39

39. Francisco Sanchez was born in Felipe, Mexico, and came to California in his early youth. During his busy lifetime he held many important civil and military posts; in the Mexican Army, he rose to the rank of Captain - and later was appointed Commander of San Francisco, a position he held until the American occupancy. His wife was Leodora Higuera; and they had four children: Luis, Luisa, Dolores and Pedro... After the cessation of hostilities between the United States and Mexico, Sanchez retired to the Dolores Mission in San Francisco. He had the reputation of being a kind-hearted, genial man, albeit somewhat distrustful of all Americans. Bancroft, History of California, V, 710. Also, Mildred Brooks Hoover, Historic Spots in California; Counties of the Coast Range, 400.

to capture the town before Captain Weber returned. Leading his forces to the southwest of the town on the Almaden Road, he sent word to Lieutenant Pinkney to surrender. If the lieutenant surrendered peacefully, the message said, the Americans would be permitted to leave unmolested - if they did not, he, Sanchez, would attack immediately and capture them. He told Pinkney in the note that he had two hundred men, which was a gross exaggeration.

Lieutenant Pinkney, although believing that he was greatly outnumbered, elected to stay and defend his position. He offered, however, to let any of his men go back to their ship if they so desired. The marines voted ~~unanimously~~ *unani-* to stay and fight, and Pinkney shouted, "By ~~God~~ *God*, Sanchez shall never drive me out of here alive!" ^{40 41}

That night soldiers slept on their muskets; guards were doubled, but nothing happened. Sanchez was cautious. He was by no means sure how many men Pinkney had. He rode around the pueblo several times during the night; then deciding that prudence was the better part of valor, withdrew his men to a site five miles from Santa Clara.

The British Consul at Monterey, having for a brother-in-law, one Galindo, an officer in Sanchez's band, and knowing many others, paid a visit to their camp, carrying

⁴⁰ Hall, History of San Jose, 159.

the English flag in his hand. He tried to persuade Sanchez to give up the fight, and begged him to surrender, but Sanchez scornfully refused. It was finally agreed, however, that Lieutenant Bartlett might be released in the custody of Forbes, if the latter would not allow him to return to the American forces.

No HP Bartlett, although well-treated by his captors, was badly frightened at being kept a prisoner, and ~~he~~ hailed this arrangement joyfully.

Sanchez then asked Forbes to present a proposition to the commanding officer at San Francisco, the gist of which was that he, Sanchez, would release Bartlett and the other five prisoners, if the American Commandant would deliver Captain Weber to him. As before mentioned, Sanchez did not like Captain Weber, who had belonged to Jose Castro's California forces, under the immediate command of Captain Sanchez, before the war.

No HP Sanchez considered Weber to be a traitor; and, too, there was that matter of the purloined horses to be settled.

Forbes presented these terms to the Commandant at San Francisco by letter; in the meantime, Bartlett stayed at Forbes's home. In a few days, the commandant answered Forbes's letter in which he said that if the release of Bartlett depended upon the surrender of Captain Weber, he, Forbes, could return Bartlett to Sanchez, *which he did.* ~~This the British Consul did.~~

Not Bartlett was completely demoralized. He wrote his wife that he never expected to see her again; and cried like a baby when he was returned to enemy headquarters.

Meanwhile, the American forces at San Francisco were busy, and preparations were made to meet Sanchez wherever he might be found. An army ^{*was placed*} under the command of Captain Ward Marston, of the United States Marine Corps from the battleship ~~X~~ *Savannah* ~~X~~. His battalion consisted of one detachment of marines under Lieutenant Robert Tansil, thirty-four men; one six-pound field ^{*word*} ~~piece~~ under the charge of midshipmen, William F. D. Gough and John Kell; ten men; and an interpreter, John Pray. A mounted company of San Jose Volunteers under the command of Captain Charles Weber, Lieutenant John M. Murphy and ^A ~~acting~~ Lieutenant John Reed, ~~41~~ together with a mounted company of Yerba Buena

~~41.~~ According to the research material the references given are about the Donner party and over

Mr Reader's Journal

41. John Reed was a member of the ill-fated Donner Party who suffered untold hardships while attempting to cross the mountains into California in the winter of 1846. While camping at Gravelly Ford on October 5, Reed became embroiled in an argument with a young man by name of Snyder, who was beating his oxen. Mrs. Reed is said to have interfered, and Snyder struck her. John Reed drew a knife and stabbed Snyder to death. He was tried by a jury of his fellow travelers - and condemned to banishment, without horse, gun or food, in the wilderness. This was tantamount to a death sentence, but Reed's twelve-year-old daughter stole away from camp that night, and brought her father some food, and his rifle. Mrs. Reed, with her four small children, remained with the party. The party lost their way soon after, and ran out of food. Snow came early and they were trapped in the mountains. Many died. Reed actually made his way to California on foot. Knowing his family must be near starvation, Reed, with one McCutcheon, started back with provisions, but their Indian guides deserted them and they were forced to return. Reed then joined Fremont's army with the understanding that he would be allowed to rescue his family before he began his military service. On John Sutter's advice, he started to Yerba Buena to ask help from the military commander. Going by way of San Jose, he found the valley up in arms against Sanchez's rebels; so he joined Weber's forces and took part in the battle that followed on January 2, 1847. Late in January, Reed got a relief party organized, and despite the wintry weather, hastened to the relief of the stranded party. Many of the party, including all of John Reed's family were saved. See, Eldredge, History of California, III, 124-150. Also Josiah Royce, California: From the conquest of 1846 to the the Second Vigilance Committee of San Francisco, 43-44.

Volunteers under command of Captain Smith; ~~and~~ Lieutenant John Rose with a small detachment under Captain J. Martin, completed the expedition - one hundred and one men.

They moved south on the 29th of December, ~~1846~~, and on the morning of the 2nd of January, ~~1847~~, came in sight of the enemy. Sanchez was not taken by surprise; his scouts had warned him of the approach of the Americans. He sent his six prisoners off into the hills, under a strong guard, where they stopped to await the results of the impending battle. At ten o'clock in the forenoon the battle began.⁴²

As battles are reckoned today, when two thousand pound bombs are dropped from steel monsters of the sky, the battle of Santa Clara was rather a tame affair. Yet it was vitally important to both the Americans and the Californians, both of which groups were fighting, and willing to die, for what they believed to be their very existence.

The Americans opened fire at two hundred yards (far out of range of the rifles of that day); ~~and~~ Sanchez's cavalry split in twain, and began an orderly retreat to the mountains. The Americans followed; ~~and~~ Sanchez stopped the retreat and attacked the pursuers on both flanks. For three

42. Hall, History of San Jose, 160-162.

hours, this running battle continued through the tall ^{lush} mustard stalks that grew ~~lushly~~ over plain and foothill; the Californians alternately stopping to attack ^{at} on the front ^{and} and on the flank.⁴³

There were few trained soldiers in the American army at the Battle of Santa Clara - except the sailors and marines inside the garrisons at San Jose and Santa Clara. The cavalrymen, who did most of the fighting, were, for the most part, settlers: men who wore broad-brimmed hats, flannel shirts and buckskin pants. Inside their leathern girdles, they usually carried bowie, or sheath, knives, with which they were past masters; also a brace of pistols. Mounted on both horses and mules of varied sizes and colors, in all styles of dress, and bearing all sorts of arms, from the flintlock to the modern cap and ball rifle, and from the German broadsword, which resembled a corncutter, to the French duelling rapier, they presented a motley and colorful appearance.⁴⁴

Lieutenant Pinkney, from his fort in San Jose, heard the conflict, and anxiously awaited news of the outcome. Thinking that Sanchez's forces greatly outnumbered the Americans, he fully expected the former to win, and deeming it hazardous to abandon the fort and join the fighting, he held

his troops in battle order to protect the town. ^{Calder is}

43. Hall, History of San Jose, 162.

44. Edwin Bryant, What I Saw in California, 294.

...the ... of the ...
...the ... of the ...
...the ... of the ...

...the ... of the ...
...the ... of the ...
...the ... of the ...

...the ... of the ...
...the ... of the ...
...the ... of the ...

...the ... of the ...
...the ... of the ...
...the ... of the ...

...the ... of the ...
...the ... of the ...
...the ... of the ...

...the ... of the ...
...the ... of the ...
...the ... of the ...

...the ... of the ...
...the ... of the ...
...the ... of the ...

hazardous to abandon the fort and join the fighting, he held his troops in battle order to protect the town. On top of the church and other tall buildings, the settlers at both San Jose and Santa Clara watched the battle.

Among the boldest of the settlers was a Mrs. Bennett. As she watched the battle, her language, although picturesque, belonged rather to the battlefield than to the parlor. She hinted that the Americans had no more pluck than they should have; and intimated that the reason why the soldiers at the fort did not join the fray was not because they wished to stay and defend the town.⁴⁵

As Sanchez in his retreat passed quite near the mission at Santa Clara, ~~and~~ Captain Aram sallied out with his company and engaged them on the right wing. Realizing that he was hopelessly outnumbered, Sanchez withdrew rapidly into the mountains, unwilling to continue the conflict.

The Americans repaired ^{to} the Santa Clara Mission where they were fed and cheered by the ladies, who had been much concerned with the fate of their refuge. A messenger was despatched to San Jose to relieve the anxiety of the waiting Lieutenant Pinkney. Everyone was jubilant.

7
refugee
Weber?

From his retreat in the Santa Cruz mountains, the Californian chieftain sent an envoy, under a flag of truce,

45. Hall, History of San Jose, 163.

announcing that he was willing to surrender - on certain terms. Captain Marston promptly replied that the surrender must be unconditional, and Sanchez countered with the statement that he would die first.

Marston, realizing that, although he had driven the Californians off, he had ^{not} far from beaten them, opened negotiations, and a truce was soon effected, to allow a courier to be sent to San Francisco, ^{asking upon what terms a surrender} would be accepted.

The Americans did not lose a man in this engagement, but two were wounded. One Jackson Bennett of Captain Weber's Company was shot in the foot, while one of the marines, Robert Heeney by name, ^{suffered a head wound.} was wounded in the head. Although historians disagree as to the Californians' losses, the accepted version seems to be that four were killed, and five were wounded.⁴⁶ It is quite probable that only the Californians knew the extent of their casualties.

Meanwhile, Captain Maddox and fifty-nine marines were moving up from Santa Cruz to attack Sanchez ^{from} on the south. Sanchez heard of their approach and requested Captain Aram

46. Hall, History of San Jose, 163-165; Schmitt, The Santa Clara Valley, 1846-1865, 13-15; also Hoover, Historic Spots in California; Counties of the Coast Range, 521, Bancroft, History of California, V, 380-381, says there were no Californians killed or injured at the "Battle of Santa Clara," but he quotes authorities who state that there were Mexicans killed in numbers varying from four to eight!

to go and meet Maddox, and notify him of the ^aArmistice. This was done, and the marines expressed regret that they were deprived of a chance at the enemy.

The despatch rider, on January 6, brought back Montgomery's terms for ~~Sanchez's~~ ^{the} ~~surrender~~ ^{of Sanchez.} They were harsh. Nothing but unconditional surrender would be considered. A copy of ~~these terms~~ ^{the mandate} was forwarded to Captain Sanchez, who ~~he~~ came in the following day, and terms were agreed upon in accordance with ~~orders from headquarters.~~ ^{official}

The following day another detachment of fifteen men, under command of Lieutenant Grayson, who was to receive Sanchez's official surrender, arrived. On the 8th day of January 1847, Sanchez surrendered his entire force, together with one brass cannon, rifles, ammunition and other war equipment. He also released Lieutenant Bartlett and the five other American prisoners.

Sanchez and Lieutenant Grayson signed the treaty under the boughs of the huge oak ~~tree~~ that later was to become known as the "Armistice Oak Tree." The Californians were allowed to return to their homes, but their leader was taken to San Francisco, and held a prisoner ^{for} a short time on the United States battleship ^{the} "Savannah."

Thus ended the last organized resistance from the Californians in the Santa Clara Valley.⁴⁷ It can hardly be

47. Hall, History of San Jose, 165-166.

called a revolt, and in all justice to Sanchez, ^{it be} we must ^{ad-}mit ^{red} that he, as an old military man, never intended - nor even hoped - to defeat the United States Army. Rather, it was a last defiant gesture in the face of an unkind fate that had deprived Sanchez and his ^{countrymen of} kind from their birthrights.

The rebels in the south were finally subdued by Stockton and Kearny after several major engagements. On January 8th and 9th, 1847, the Californians under Flores and Andres Pico were decisively defeated by Stockton's army, and the Californians sued for peace. Manuel Castro and General Flores left California after transferring the technical command of the California forces to Andres Pico, believing that their absence would aid their countrymen in getting more favorable terms from the Americans. ⁴⁸

Fremont, then a lieutenant ~~colonel~~, who had arrived in Los Angeles shortly after the surrender, assisted in drawing up the Articles of Capitulation, which he signed jointly with Andres Pico, January 13, 1847. ~~The signing of~~ this treaty, called the Cahuenga Capitulation because the signing took place at the Cahuenga Rancho, marked the end of all hostilities between the Mexicans and Americans

48. Bancroft, History of California, V, 390-407.

in California.

Fremont⁴⁸ has been much criticized for not reaching Los Angeles before the fighting was all over; but ~~in all fairness, we must record that his horses were tired, and his soldiers~~ *were unskilled and undisciplined.* Also, he had been instructed by Commodore Stockton to proceed slowly and with caution. Eldredge says: over *

By the terms ~~of the term~~² of the capitulation, the Californians were pardoned (even the ones who had broken their paroles), and were free to go to their homes, on giving up their arms (which consisted of two cannon and six muskets), and promising not to take up arms again during the war.⁵⁰

In the Santa Clara Valley there followed a period of restlessness and lawlessness. Despite the fact that an American military commander was in control, there was hopeless confusion, and very little cooperation. Disputes over land titles were many. Titles were forged, and rightful owners put off their lands. Settlers squatted on old

49. Eldredge, History of California, III, 105.

50. Bancroft, History of California, V, 401-405.

Mr Baker's Lastnote #49

49. Eldredge, History of California, III, 105, says, "So it happened that a man who had started a needless war in which others had done the fighting; who had raised a huge army that had never seen a battle; who had been outwitted by the only enemy he had ever been near, and whose only warlike acts had been the spiking of a few abandoned cannon, and the shooting of three harmless non-combatants, finally received the surrender of the last remnant of the army which others had defeated, and signed a peace where there would have been no war except for his meddling in matters he should have left alone."

word

I want
as a quote
in text



word

California estates, and held their claims by right of might - and anti-Mexican sentiment. Horse-stealing and cattle-rustling increased. Lack of proper laws, ignorance of Mexican laws, and the unwillingness of Californians to comply with American-made laws, all helped to create chaos.

The Treaty of Guadalupe, signed February 2, 1848, brought peace, officially, between the United States and Mexico, but conditions did not mend in California for many years. Many generations were to be born - and die - before all the bitterness and heart-burning were wiped away.⁵¹

The area where the "Battle of the Mustard Stalks" was fought is a tract of land about four miles north of Santa Clara, and is now bounded on the south by the San Francisco-San Jose highway; on the west by Lawrence Road; on the north by Kifer Road, and on the east by Scott Lane.⁵² The land, once covered with wild mustard, is now planted in prune and pear orchards, berries and truck gardens, and is owned by some fifty landowners: Douglas Sims of San Jose and the Kifer family of Santa Clara, being among the most prominent. C. C. Morse, the seed king, formerly had a large seed farm on this tract, as did Mr. Louis Kimberlin of San Jose.⁵³

Typist: Do not separate initials from the name

51. Schmitt, The Santa Clara Valley, 1846-1865, 16.

52. Hoover, Historic Spots in California; Counties of the Coast Range, 521.

53. I. O. Tripp, (Information Department of the San Jose Chamber of Commerce), Letter to Benjamin Rader, January 10, 1941. MS. ~~now~~ in possession of Mr. Rader.

Mr. Tripp?

Today in a comfortable motor car

As one ~~Traveling~~ along U. S. Highway No. 101, (which, in Santa Clara County follows the old "King's Highway" of the Spaniards), ~~today in a comfortable motor car~~, it is difficult to believe that a century ago this shining roadway was a twisted trail, just wide enough for an oxcart, and was used chiefly by Mexican soldiers, clad in leather jerkins and helmets, and armed with ^{1 word} flintlock rifles and lances.

^{In the} ~~If it is~~ summer, ~~one may see~~, on the fertile acres where the "Battle of Santa Clara" was fought, an army of men and women, many of whose ancestors were enemies in days gone ^{may be seen} by, peacefully carrying or dragging boxes of fruit across the land where their forefathers rode mustangs, or dragged rifles through the tall wild mustard stalks in the turbulent days before the signing of the armistice under the oak tree beside the highway - made famous by that event.

Mr. Murray
Is this necessary?

#260

AUTHORITIES

I. Periodicals:

- (New Series XIX)
- ✓ 1. Bidwell, General John A. "Fremont in the California Conquest," the Century Magazine, XLI, n.s. 19 (February 1891), 518-525.
 - ✓ 2. Fremont, John Charles, "Conquest of California," the Century Magazine, XLI, n.s. 19, (April 1891), 917-928.
 3. M. N. O. "Resume of Fremont's Expeditions," the Century Magazine, XLI, n.s. 19, (March 1891), 759-766.
 - ✓ 4. Royce, Josiah, "California," the Century Magazine, XLI, n.s. 19, (March, 1891), 780-783.

II. General Works:

5. Alcaarez, Ramon, The Other Side, New York, 1850.
- ✓ 6. Atherton, Gertrude, California; and Intimate History. New York, 1927.
- ✓ 7. Bancroft, Hubert, History of California, 7 vols. San Francisco, 1884-1890.
- ✓ 8. Cleland, Robert Glass, A History of California; The American Period, New York, 1922.
- ✓ 9. Colton, Reverend Walter, Three Years in California, 1846-1849, Cincinnati, 1850. New York, 1850.
10. Eldredge, Zoeth Skinner, History of California, S-V. New York, 1915.
11. Elias, Sol. P. Stories of Stanislaus, Modesto, California, 1924.
12. Encyclopedia Britannica. New York, 1929.
13. Fremont, Memoirs of My Life, New York, 1887.

Bryant Elom.
What I read in
California in
the years, 1846,
1847... New York
1849.

Cutts, James Madison,
The Conquest
of California
and Mexico by the
United States in the
years 1846 and 1847.
Philadelphia, 1847.

1. History of the City of New York, by James M. Smith, New York, 1894.

2. History of the City of New York, by James M. Smith, New York, 1894.

3. History of the City of New York, by James M. Smith, New York, 1894.

4. History of the City of New York, by James M. Smith, New York, 1894.

5. History of the City of New York, by James M. Smith, New York, 1894.

6. History of the City of New York, by James M. Smith, New York, 1894.

7. History of the City of New York, by James M. Smith, New York, 1894.

8. History of the City of New York, by James M. Smith, New York, 1894.

9. History of the City of New York, by James M. Smith, New York, 1894.

10. History of the City of New York, by James M. Smith, New York, 1894.

11. History of the City of New York, by James M. Smith, New York, 1894.

#260

and Surroundings, with
Biographical Sketches of
Early Settlers

- ✓ 14. Hall, Frederic, History of San Jose, San Francisco, 1871.
- ✓ 15. Hoover, Mildred Brooks, Historic Spots in California: Counties of the Coast Range. Palo Alto, 1937.
- ✓ 16. Nevins, Allan. Fremont, the West's Greatest Adventurer, New York, 1928.
- ✓ 17. Peters, Dewitt C. Kit Carson's Life and Adventures. Hartford, 1873.
- ✓ 18. Royce, Josiah. California, from the Conquest of 1846, to the Second Vigilance Committee of San Francisco, Boston, 1886.
- ✓ 19. Sabin, Edwin L. Kit Carson Days. Chicago, 1914.
- ✓ 20. Swasey, William F. The Early Days and Men in California. Oakland, 1891.
- ✓ 21. Tuthill, Franklin. History of California. San Francisco, 1866.
- ✓ 22. Wise, Henry Augustus. Los Gringos. New York, 1850.

III. Manuscripts:

- ✓ 23. Schmitt, Dorothea Louise. The Santa Clara Valley (1846-1865). M.A. thesis. degree at University of California. Berkeley, 1928.
- ✓ 24. Tremayne, Richard Guald. History of the Santa Clara Valley: The Mexican Period. M.A. thesis. for M.A. degree at the University of California. Berkeley, 1923.
- ✓ 25. I. O. Tripp, Information Department of the San Jose Chamber of Commerce, Letter to Benjamin Rader, January 10, 1941. MS. now in possession of Mr. Rader.

IV. M

IV. Miscellaneous:

- ✓ 26. Federal Writers' Project, California, New York, 1939.

✓ Nevins

Swasey

Tripp #53
footnote

(American Guide Series)

Guide to the
Golden State

COUNTY Santa Clara REG. NO. # 268

LIBRARY

u. c.

NAME OF LANDMARK Armistice Oak Tree Site

E 404

AUTHOR Alcares, Ramon

A 6

TITLE The Other Side

VOLUME _____ NO. _____ PAGES 405-14.

CITY OF
PUBLICATION new york

DATE OF
PUBLICATION 1850

LIBRARY

REF. NO.

DATE

NAME OF LANDMARK

ADDRESS

CITY

STATE

CO.

ZIP CODE

NAME OF

CITY OF

PUBLICATION

PUBLICATION

405- About a year before the war, a band of adventurers, proceeding from the U. S. came to Calif + proceeded to commit acts in violation of the laws of that country - Unfortunately, the authorities neither desired, nor knew how, to avert the tempest.

Feb 1846, Capt. Fremont, an engineer in the U. S. Army entered Mexican territory with a force of mounted riflemen under pretext of a scientific commission solicited + obtained permission from Castro to traverse + remain in Calif.

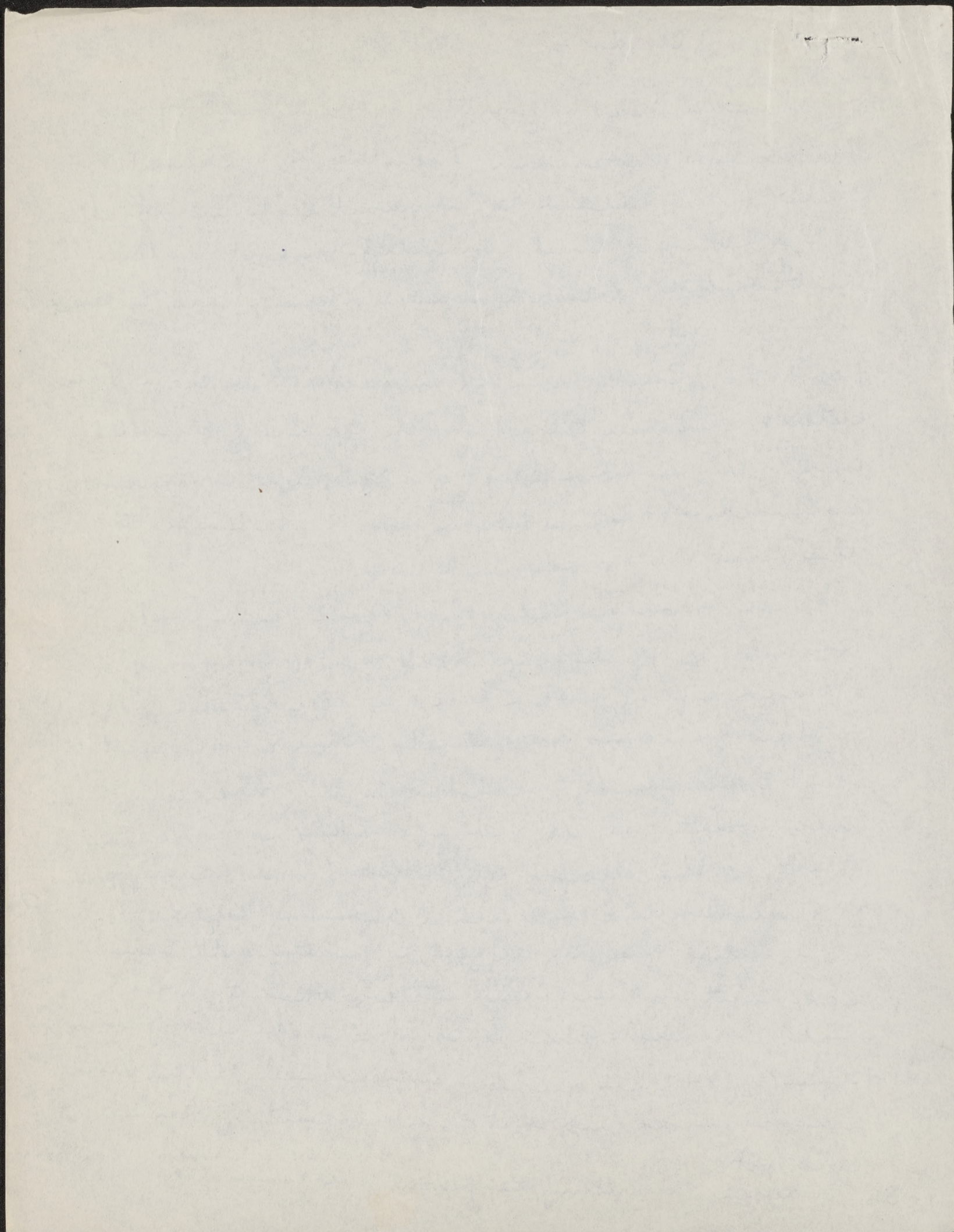
Three months later that same band took possession of the important town of Sonoma + raised a flag with a bear + a star painted on it. (Then follows an entirely biased account of what took place, according to the Mexican viewpoint, which very probably is as nearly true as the version of Fremont and his supporters.)

408- Flores Rebellion took place beginning Sept 24, 1846.

(The entire chapter differs so greatly with any account by American authors that it would take too much time to point out the discrepancies.)

414- Jan 10, 1847. Los Angeles surrendered to the American forces and that precious part of Mexico was lost.

1-32 - Some very unflattering thing about what caused the war.



COUNTY Santa Clara REG. NO. *260

NAME OF LANDMARK Armistice Oak Tree Site.

AUTHOR Atherton, Gertrude

TITLE California - an intimate

History

VOLUME _____ NO. _____ PAGES 101-10.

CITY OF PUBLICATION New York.

DATE OF PUBLICATION 1927

LIBRARY

U.C.

F 861

A 8

1927.

LIBRARY

REG. NO.

COUNTY

NAME OF LANDOWNER

ADDRESS

CITY

PAGES

NO.

VOLUME

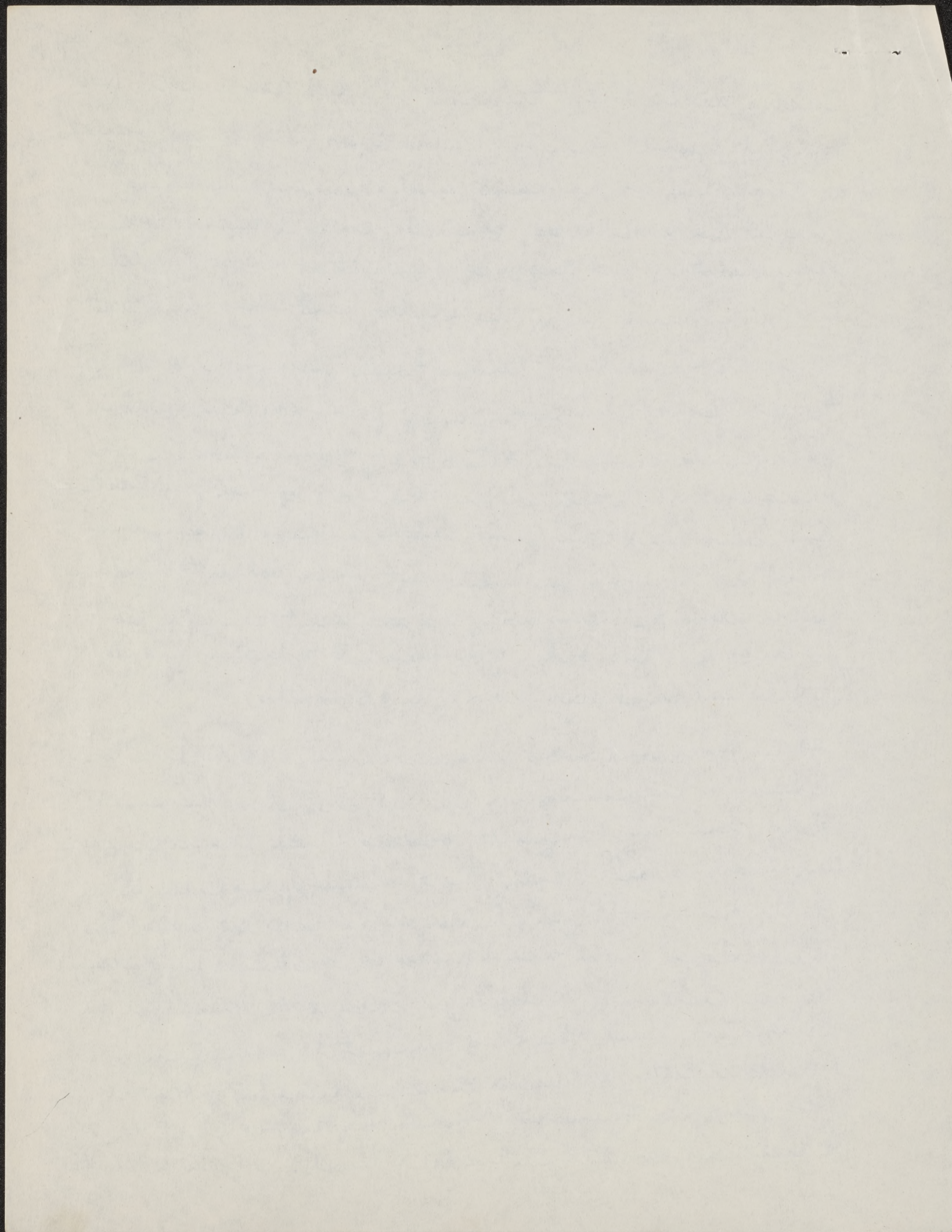
DATE OF

RECORDATION

CITY OF

RECORDATION

101. - Castro distrusted Fremont - So did Alvarado. He might have only a harmless unarmed bunch of trappers as he said and then again they might be soldiers. Hadn't Fremont himself imprudently let drop a hint that 10,000 settlers were coming from the States next spring. What was more likely than this jump had come to prepare the way and provoke an uprising? It is quite probable that one of Fremont's men was purposely involved in the row ~~of~~ over Gen. Castro's cousin, and this gave Castro excuse to say that Mexican women were not safe when Gungahs were about. Anyway the incident served as an excuse for the order for Fremont to leave, pronto! (Follows usual description of next 3 months)
103. - When Fremont was examined in 1848 before the Clarius Commission in Washington, he denied ever receiving definite orders from the U.S. regarding the seizure of Calif, but many years later in an interview with Josiah Royce, he asserted that the messages from headquarters (destroyed by Gillespie before entering Mexico) conveyed to him the information that the U.S. meant to seize Calif. Benton's letter, delivered the same time by Gillespie, according to Fremont, "made me know that the time had come when England must not gain a foot-



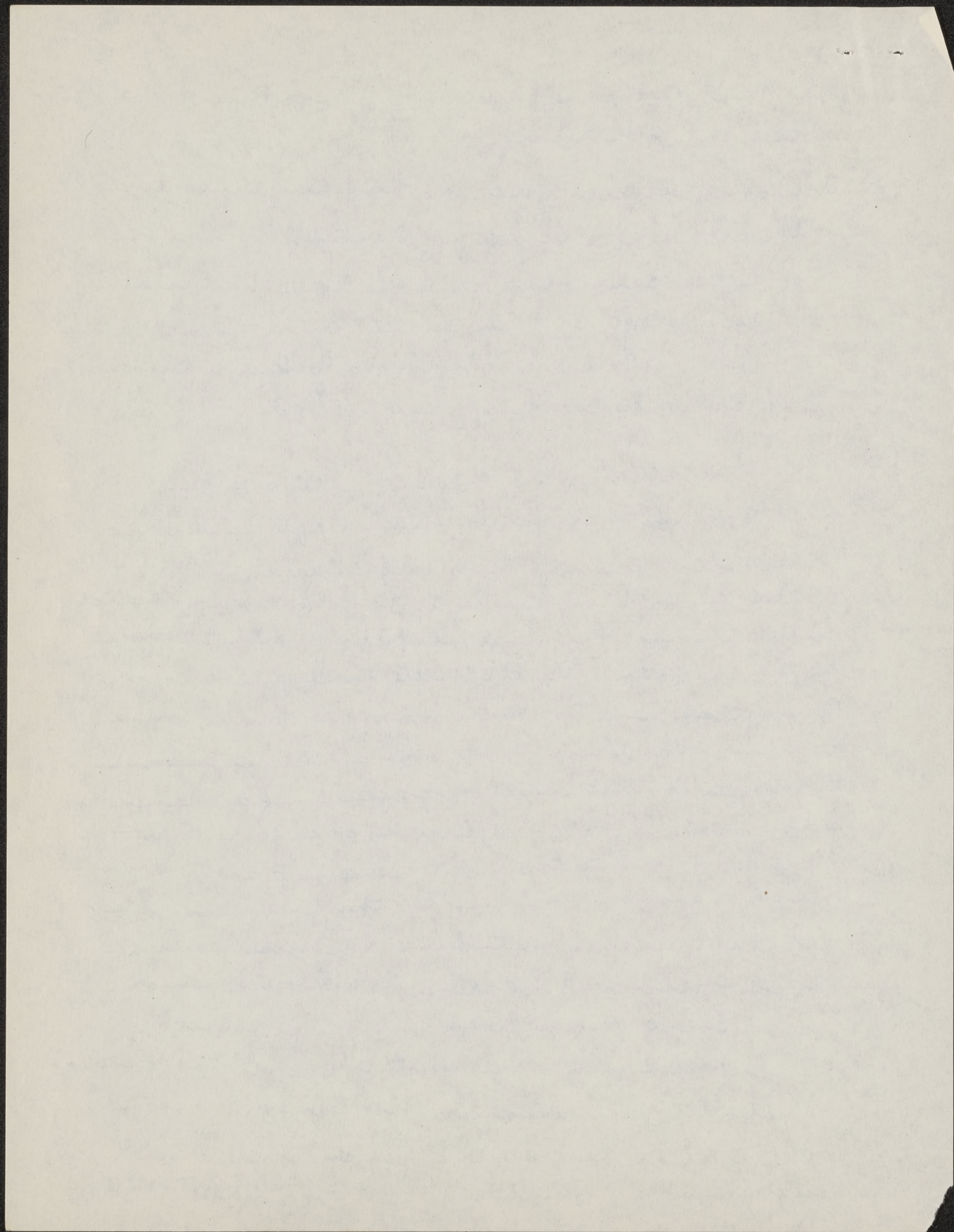
32

hold; that we must be first. I was to act discreetly but positively."

105. Fremont denies that he had anything to do with either the seizing of Castro's horses or the later Bear Flag episode and the arresting of Gen. Vallejo, but the horses were turned over to Fremont and Vallejo was taken, a prisoner, to Fremont's camp at Sutter's Fort.

110. In retaliation of the killing of two white settlers by Mexicans under Capt. de la Torre of Castro's Army, Fremont ordered Wm Ford of the Bear Flag party to take 60 men + march on the enemy. Fremont went along with 72 men "to see the fun." In the battle, three prisoners, one Bernyessa and two Haro boys, all youths, were taken. In their boots was evidence, according ~~to Fremont~~, that Castro was planning a march on Sonoma. (This was a ruse by de la Torre to get Fremont + Ford to go back to Sonoma ~~as~~ as he was hard pressed - Apparently the prisoners just let themselves be taken - The ruse worked - Ford + Fremont hastened to Sonoma and de la Torre made good his escape. But the 3 Californians were shot to avenge the deaths of the two Americans; Kit Carson boasting later that he was the executioner. Castro had no intention of attacking Fremont.

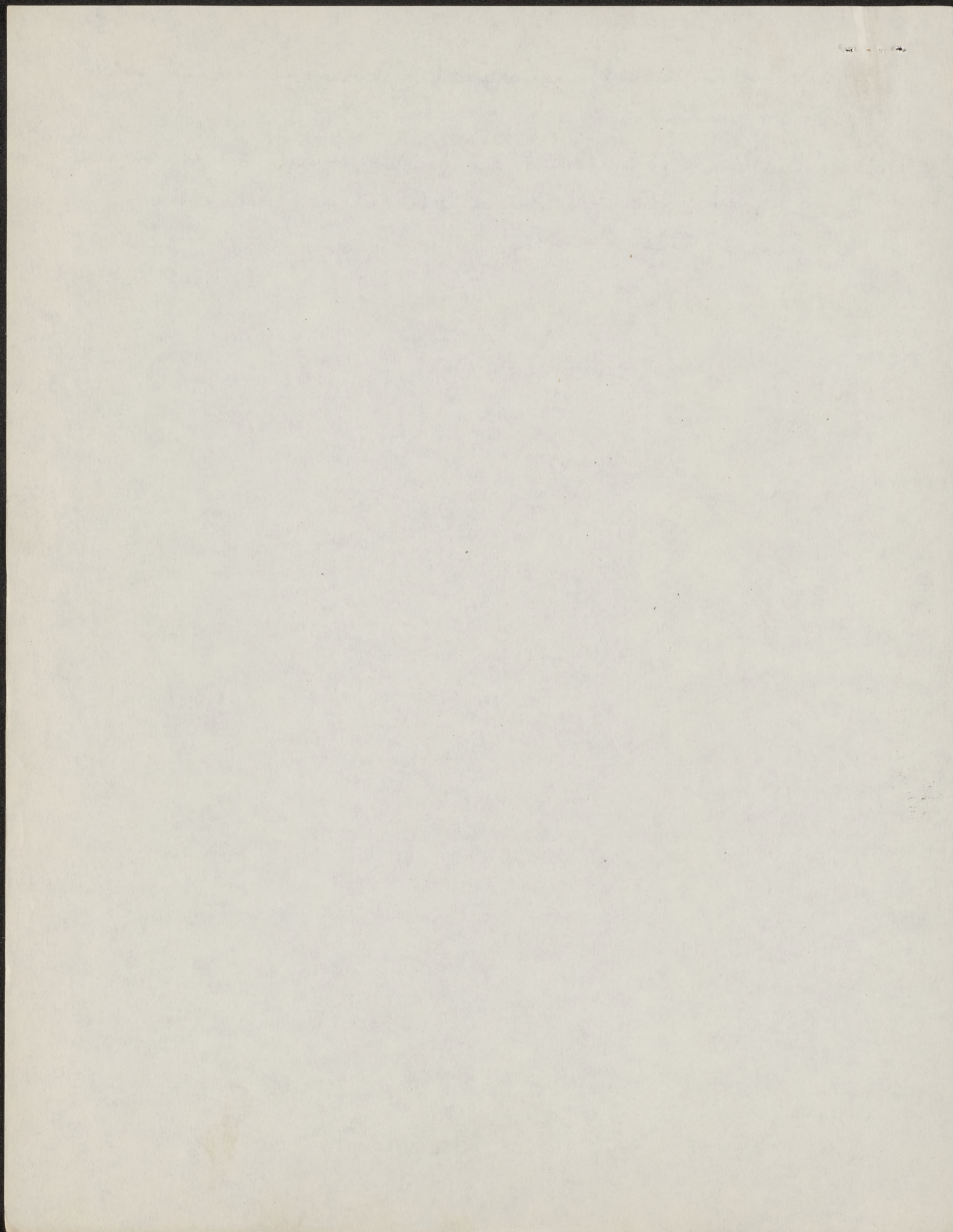
111



B.R.

We went South instead & consolidated his forces with Pico.

115- The Californians' day was over. Their sun had set. Once more the strong had devoured the weak!



COUNTY <u>Santa Clara</u>	REG. NO. <u>#260</u>	LIBRARY <u>U.C.</u>
NAME OF LANDMARK <u>Armistice Oak Tree Site.</u>		N.S. 19
AUTHOR <u>Bidwell, Gen. John B.</u>		Per Stack
TITLE <u>Fremont in the California Con- quest - in Century Magazine - (1890-91) (Feb 1891)</u>		X
VOLUME <u>41</u>	NO. <u>N.S. 19.</u>	PAGES <u>518-25</u>
CITY OF PUBLICATION <u>New York.</u>	DATE OF PUBLICATION <u>1891</u>	

P. 518- Says Fremont obtained Castros consent to stay in Calif + explore. Supposing that Fremont intended to go South or Southeast from the San Joaquin, Castro was angry + suspicious when Fremont with 60 armed men started West + Southwest through the thickly settled regions of the Santa Clara + Salinas Valleys - Castro ordered him to leave, + Fremont camped on Gavilan Peak + ran up flag + defied Castro.

Fremont, when Castro failed to attack, went to Oregon, leaving Sutter's Fort on March 24, 1846.

519- When Gillespie left Washington with dispatches for Fremont, war hadn't been declared - So Fremont can only have surmised that such was the case - Benton's message to him was never disclosed - whatever Fremont did was done with the sanction, if not the orders - of the U.S.

Fremont sent the party to capture Castro's horses.

520- Californians referred to Bear flag as "Coke" (Pig) but perhaps they were not insulting the artist, but referring to the men who hoisted it -

LIBRARY

REG. NO.

COUNTY

NAME OF PUBLISHER

AUTHOR

TITLE

PAGES

NO.

VOLUME

DATE OF
PUBLICATION

CITY OF
PUBLICATION

COUNTY Santa Clara REG. NO. # 260

LIBRARY ✓

NAME OF LANDMARK Armistice Oak Tree Site

u.c.

AUTHOR Rancroft, Hubert Howe

F 861

TITLE History of California.

B 3

V. 5. X

VOLUME 5 NO. PAGES 4, 17, 41, 61, 239, 379-83, 659, 678, 683

CITY OF
PUBLICATION San Francisco

DATE OF
PUBLICATION 1886

LIBRARY

NO. 1

COUNTY

NAME OF LAWYER

ADDRESS

CITY

STATE

TO

RECEIVED

DATE OF

RECEIPT

CITY OF

RECEIVED

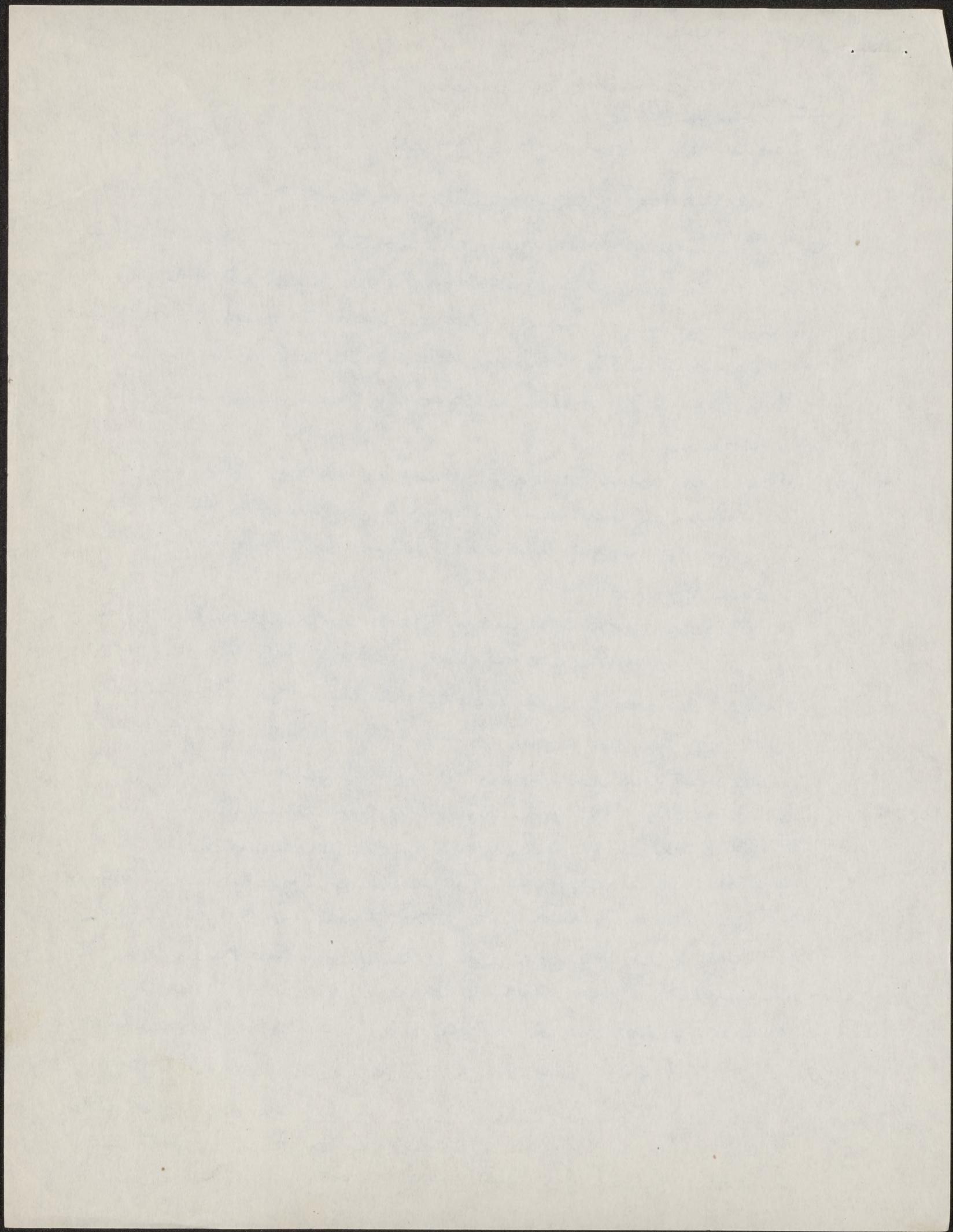
Fremont's "receipts."
~~October~~ 1846

P. 357. After Fremont with 160 men sailed south on the "Sterling," to cooperate with Stockton against the Californians in the south, he learned that there were no horses to be had at Santa Barbara or San Pedro. He returned to Monterey + resolved to make the trip to L.A. by land.
 On Oct 28, Fremont + his men landed at Monterey -

P 358 Officers were at once sent to obtain the largest number of horses possible in the shortest period of time. How didn't matter so long as it was done quickly -

Paper receipts were given - to be paid by the U.S. government at the end of the war. Friends of the cause were treated with some courtesy, while lukewarm and hostile were plundered without ceremony of anything that could be used. The U.S. finally assumed obligation for these claims - such as were presented, and while many ranchers received no compensation others were paid for goods they had never lost.
 359. many free lance adventurers who joined with Fremont, and some who did not, commandeered horses and provisions, giving receipts that were worthless + which they had no right to give.

"Every man who can raise 30 or 40 soldiers becomes a Captain," says Colton, "and starts off pretty much on his own hook."



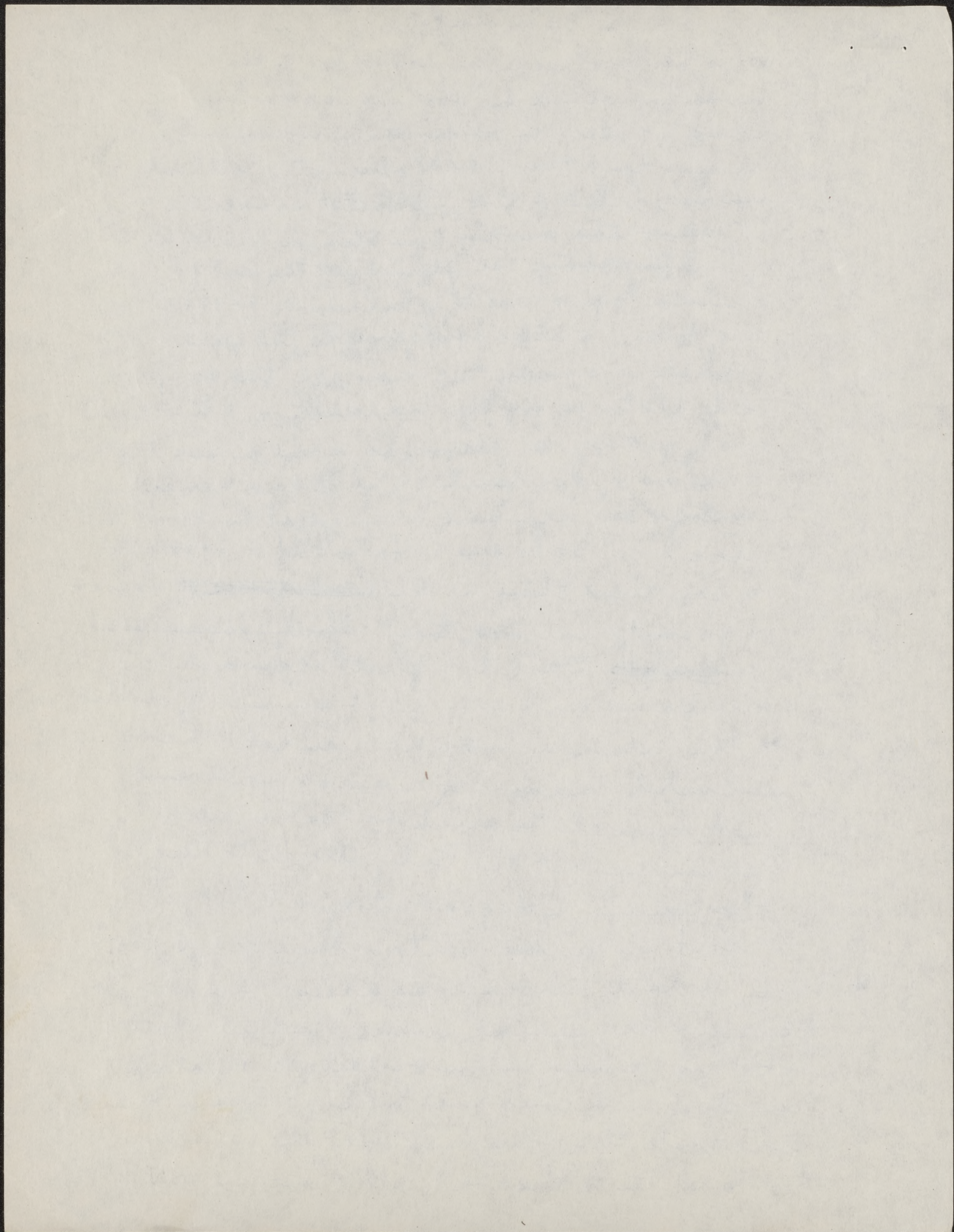
OK.

Bannock.

A-2

nor is he very scrupulous as to the mode in which he obtains his horses, saddles etc. He takes them wherever he can find them, and very often without leaving behind the slightest evidence by which the owner can recover the value of his property. He plunders the Californian to procure the means of fighting him. Public exigency is the plea which is made to cover all the culpable features in the transaction. This may justify, perhaps, in some cases, the taking of property, but it can never justify the refusal or neglect to give receipts - It is due to Fremont & Stockton to say that they never ~~countenanced~~ approved or countenanced this. ~~They always gave receipts~~ Still it reflects reproach on our Cause and is a vast source of irritation to the community - no man who has any possible means of redress will submit tamely to such outrages; and yet we expect the Californians to hug this chain of degradation, and help rivet its links. (Cotton's Three Years.) 158.

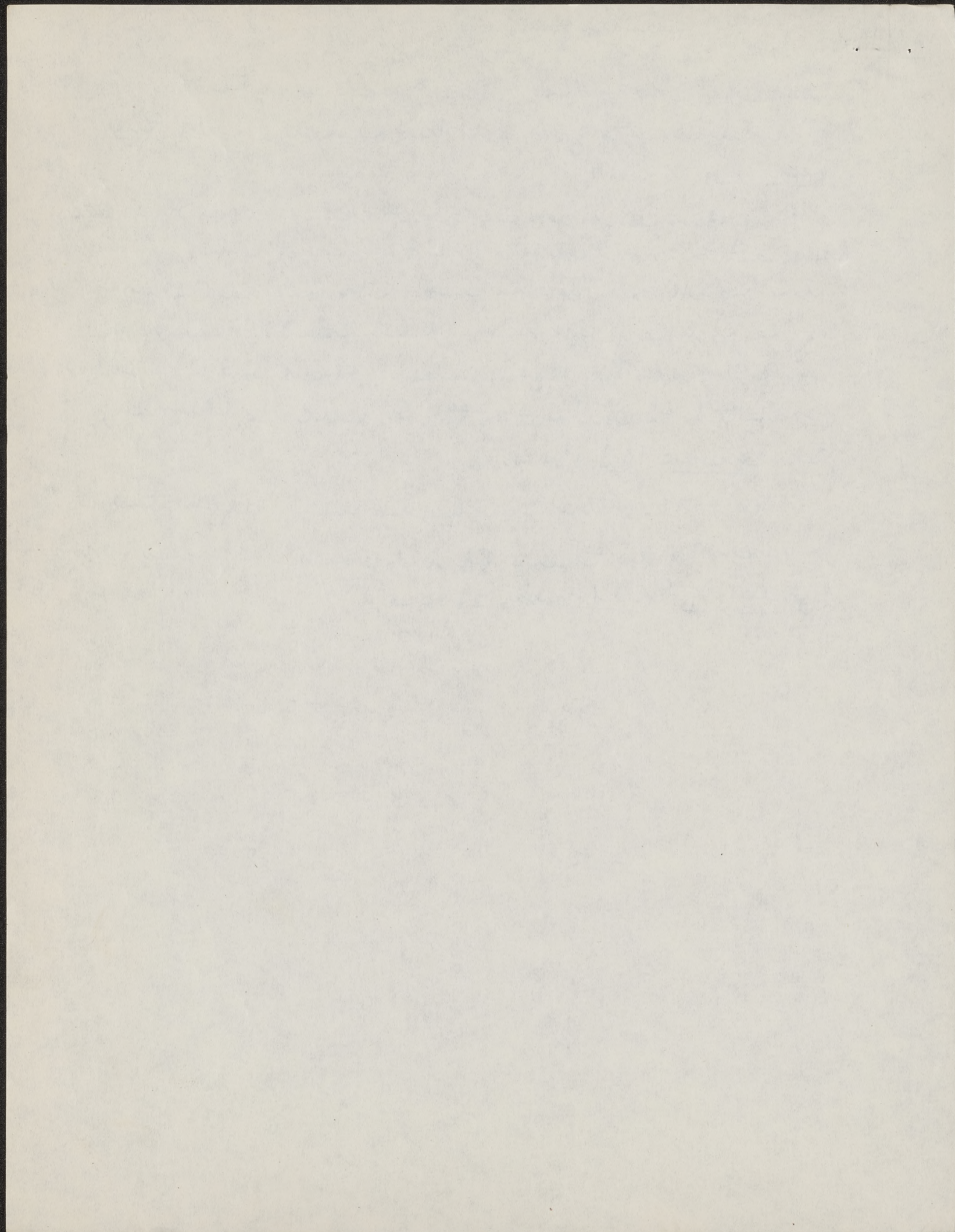
359 - One Amestis horses, saddles & blankets were taken & no receipt given. He then started with his family in an ox-cart for another rancho, and was met by Capt. Sears' men, who took the oxen and left the family in the middle of the road. Valley's Hist of Cal. MS. V, 182-3.



Alcalde Chabolla of San Juan was beaten for refusing to give up his saddle - Week's Reminiscences, M.S., 117.

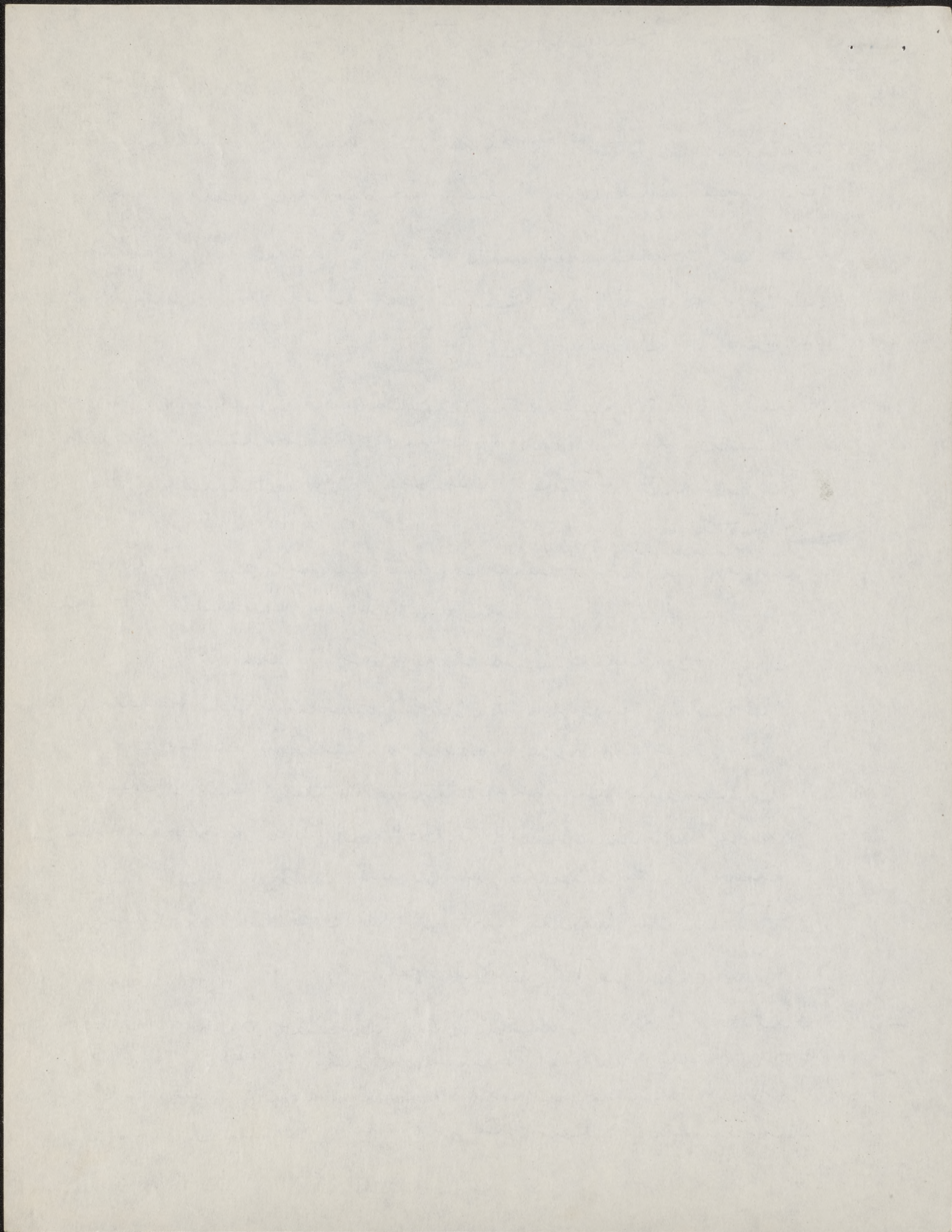
One German's horses were taken, 100 in number. He went to Monterey to see Fremont, who gave him back one horse and a mule, and also some money. German had tried to save 11 fine horses by concealing them, but a neighbor pointed them out to the Americans. German, Sucesos M.S., 13-15.

Most of the Rancheros were left without horses to do their farm work - Cooke's, Conquest of California, 218-20.



1846

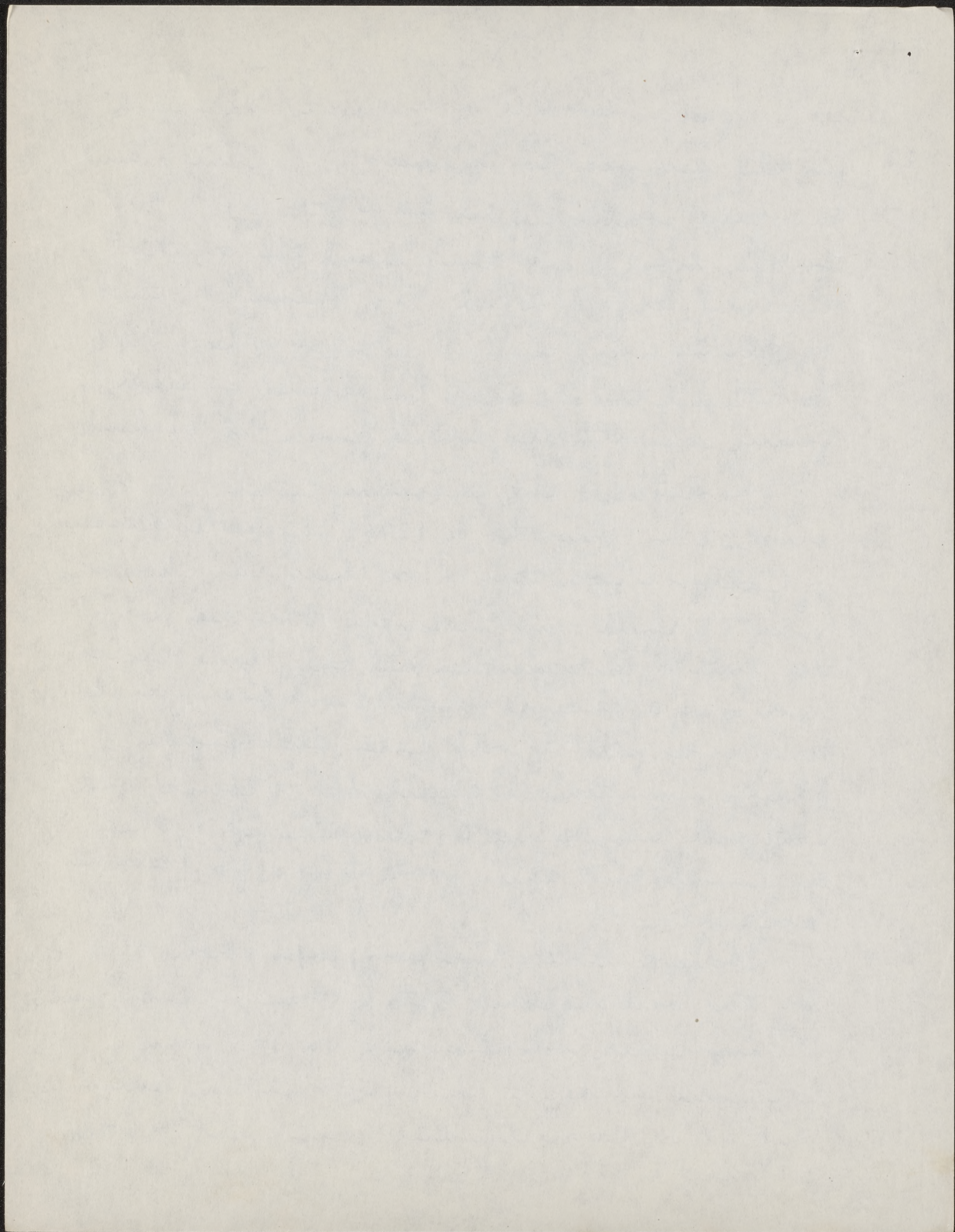
- 7- mentions that Francisco had a rancho in Santa Clara Valley in the San Mateo region.
- 17- That as Commandant at S. F., Sanchez ordered a corporal at San Raphael to bring his forces to San Jose.
- 41- March 16, 1846- Castro appealed to Vallejo in the name of Mexico to come to Monterey. Vallejo kept out of the trouble but attended the meeting -
- ~~by~~ march 27, 1846,
- 61- Vallejo, with Francisco Sanchez and Alvares of Santa Clara met at Thos. Larkin's house in Monterey. Castro was there, too.
- Castro urged an allegiance with France to forestall the Yankees. Vallejo + Sanchez favored annexation to the U.S. They were in minority with those who favored annexation by France & England, so they left, and the junta being without a quorum, Calif was saved from Europe.
- 239- Acting Com. Sanchez was absent Montgomery took over Yuba Burela on July 10, 1846. Not a Mexican in sight from whom to demand surrender. They hid out and waited.
- 378-83- There was much difficulty in obtain-



ing supplies for all of Fremont's men and
378. for the several companies of marines and
troopers stationed at San Jose and S. F.
For the most part they used the method
already established by Fremont: that
of plundering every rancho where cattle
or other stores could be found — and
giving a worthless slip of paper in exchange.

Throughout the preceding troubles (in the
first 10 or 11 months of 1846) the "better classes"
of Californios stayed on their ranchos and
minded their own business. They did not like
the quings, but neither did they love Mexico —
anyway a change might prove beneficial, and
they accepted it with Latin philosophy —
They submitted, not cheerfully, of course, but
without resistance to the exchange of their
animals and their food stuffs for Fremont's
receipts.

Their patience, however, was sorely tried
by the outrageous acts of many irresponsible
Americans who carried on the work of
plunder under a show of military authority.
Battalion Commanders could not, or would
not put a stop to this.

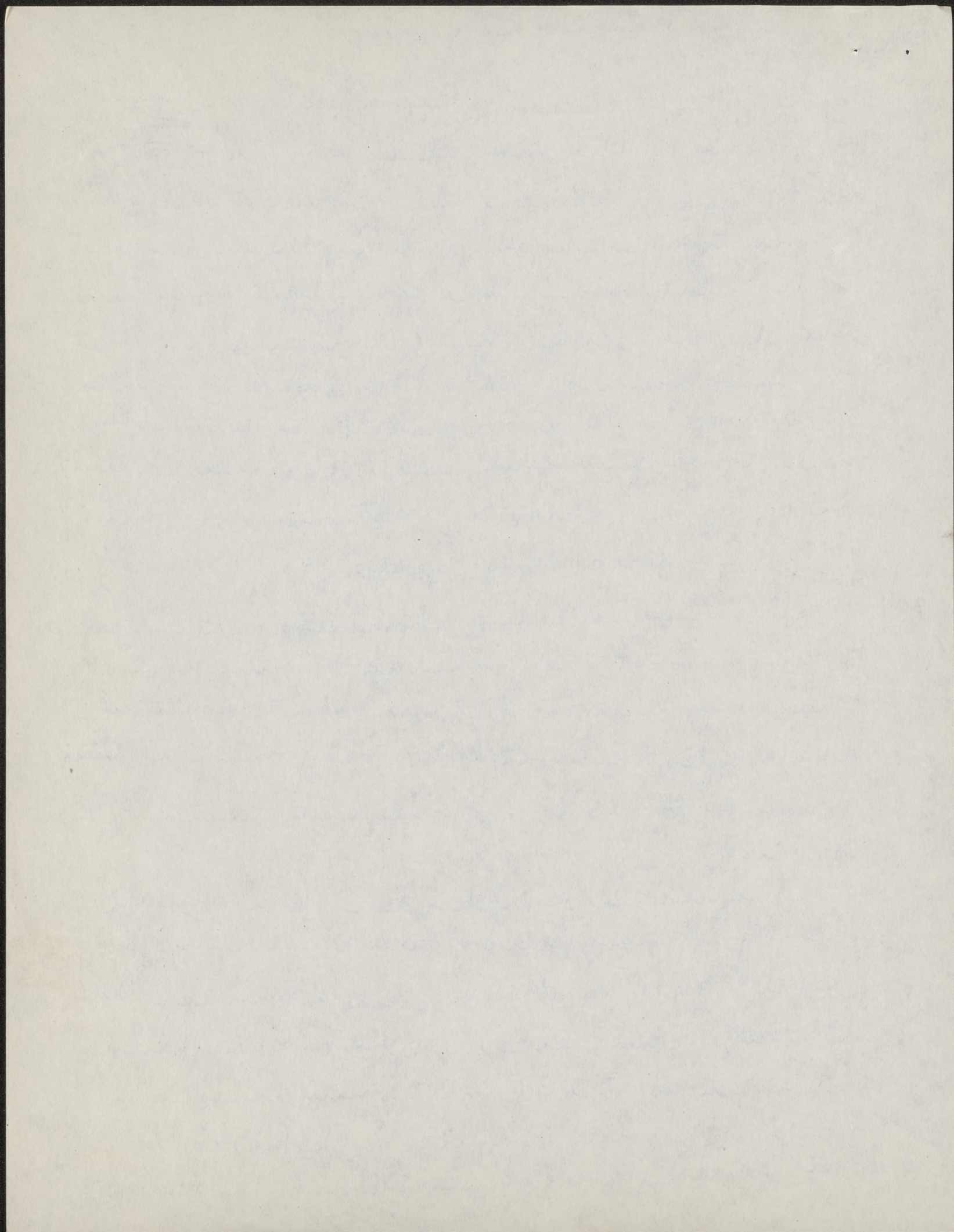


"They are a class of persons who have drifted over the mountains into this ~~state~~^{country} from the borders of some of the Western states. . . Their connection with our military operations here is a calamity -- The principal sufferers are the men who have remained quietly on their farms, and whom we are bound to honor as well as . . . protect. To permit such men to be plundered under the filched authority of our flag is a national reproach."

(Culton's, Three years. 155)

379. The long-suffering rancheros' patience came to an abrupt end when it became evident that such depredations were to continue, even after Fremont left. They made up their minds to resist -- if only as a matter of protest.

Francisco Sanchez raised a small troop of rancheros and vaqueros. On Dec. 8-1846, matters reached a climax. Lieut. Bartlett, acting alcalde of Yerba Buena, and five men started down the peninsula on a trip to purchase cattle a la Fremont. His journey took him close to the rancho

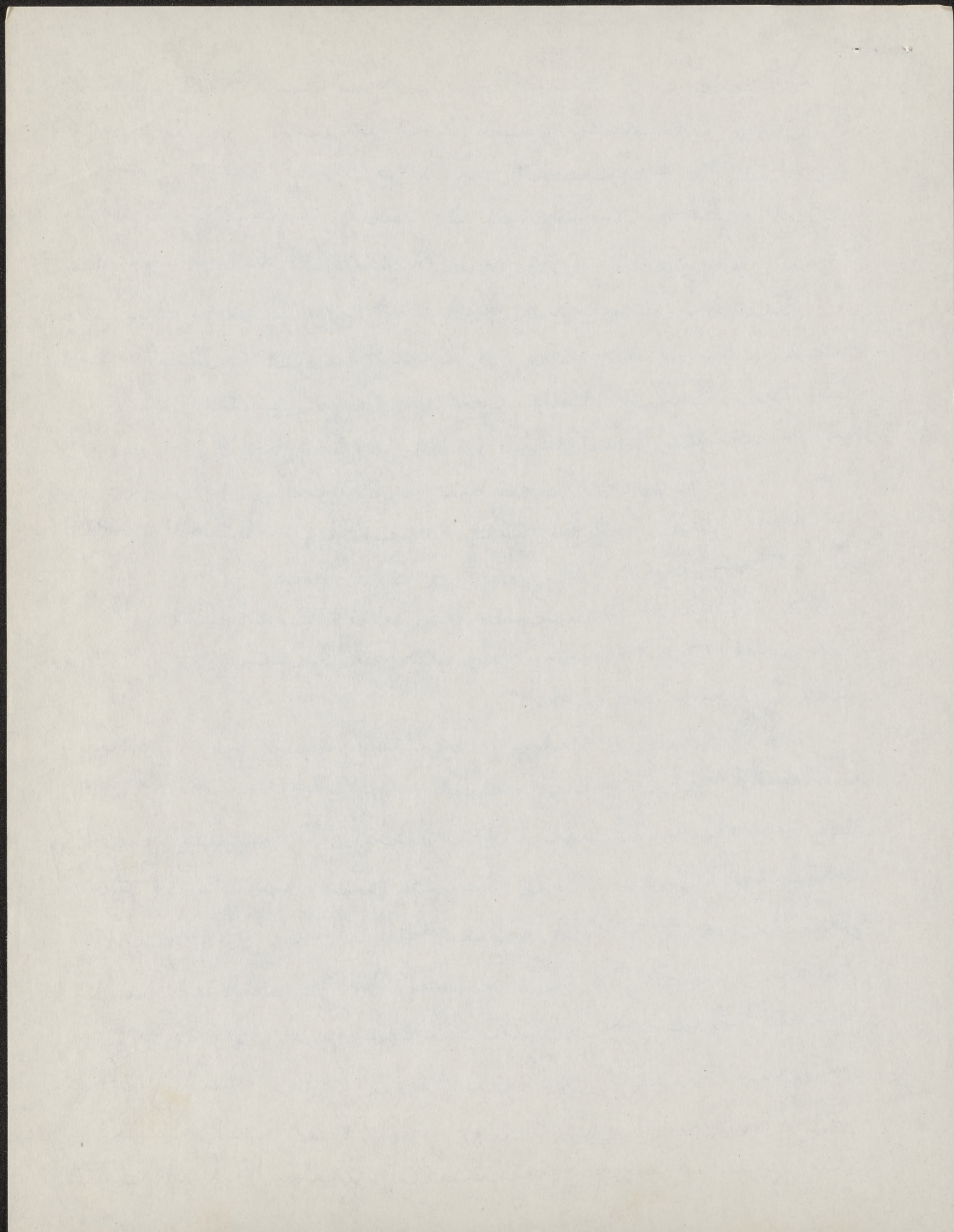


of Francisco Sanchez in the San Mateo region. Señor Sanchez had lost a great many of his cattle to Fremont, also he had lost a herd of horses entrusted to him by his friends, Mr. Howard and Mr. Mellus at the hands of Capt. Weber.

Señor Sanchez did not like Capt. Weber. Weber had formerly been a Lieutenant under Sanchez in the Calif Mexican Army. Castro, who was quite friendly with Weber, had offered him a Captaincy in his army - and Weber had not only refused, but had plotted Castro's overthrow at San Jose.

No, Señor Sanchez disliked Capt. Weber, a dislike that was rapidly spreading to include all "americanos."

Here were Lieut. Bartlett and five men - intent on a plundering expedition - It was to good a chance to miss. Sanchez quickly gathered a small band and waylaid the lieutenant & his five men. They offered no resistance to the superior numbers, and were bound and taken into the hills a few miles where they were held prisoners. It is not probable that Sanchez had had any previous formulated plan. He undoubtedly

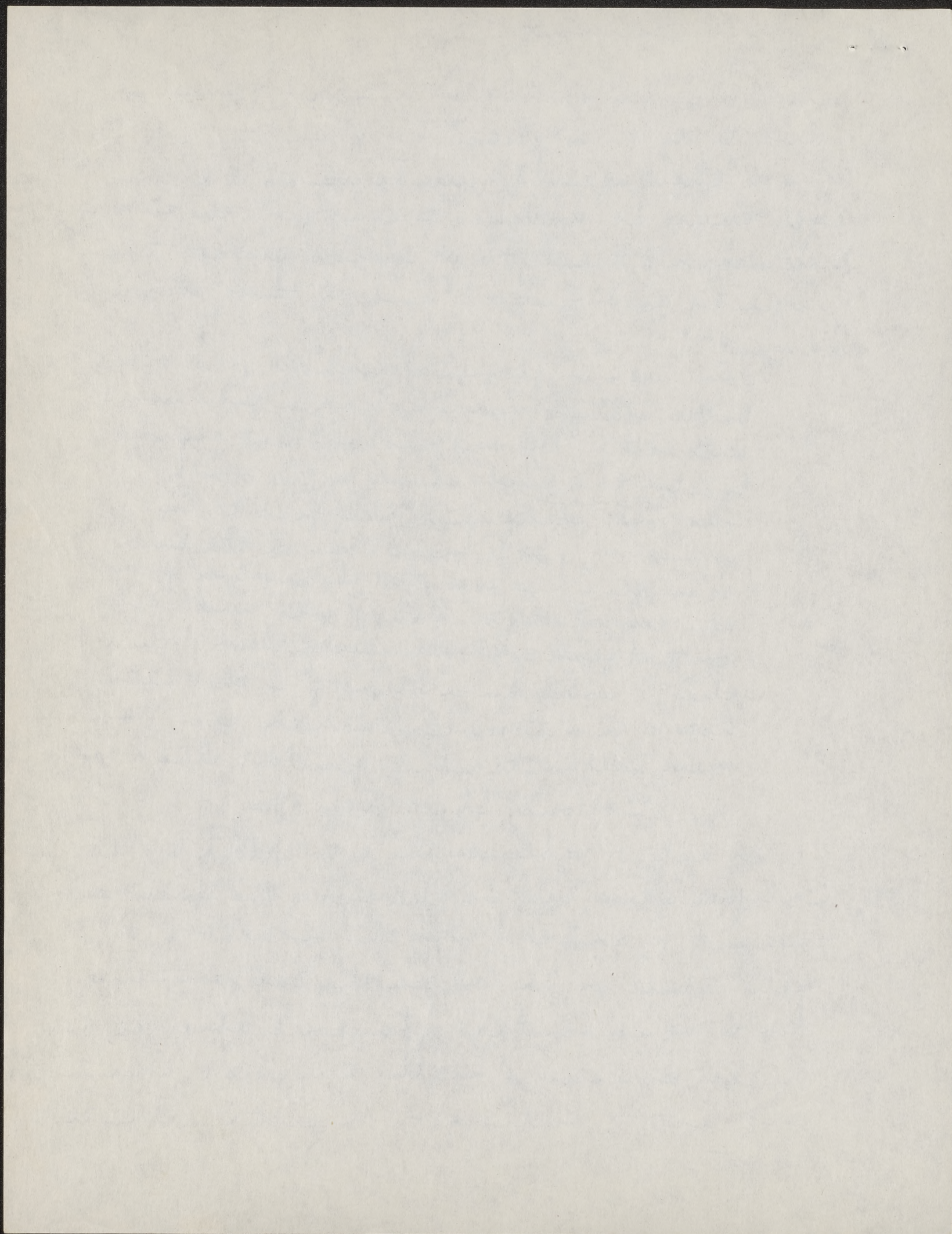


acted on impulse and in a spirit of anger -
and to do him justice he never meant to
harm the captives. All he wanted to do was
hold them as hostages, to exact from the pillaging
Americans a treaty that would protect their
property and put an end to ~~their~~ depred-
ations.

"They were, with few exceptions, men of the
better stamp, men who had a permanent
interest in the soil, and who had refused
to join the rash spirits of the South-
The ^{Californians} ~~men~~ stated that they had taken
up arms, not to make war on the Amer-
ican flag, but to protect themselves from
the depredations of those who, under color
of that flag were plundering them. . . . And
that on assurance being given that these
acts of lawless violence would cease, they
were willing to return quietly to their homes."

Coltons, Three Years, 152.

280. No acts of violence were committed by the
Californians, but in the eyes of the "Americans,"
this act of Sanchez was the outbreak of a
new rebellion, in which the Californians,
taking advantage of Fremont's absence, had
risen so strong, for the purpose of committing
acts of outrage on unprotected immig-
rants.

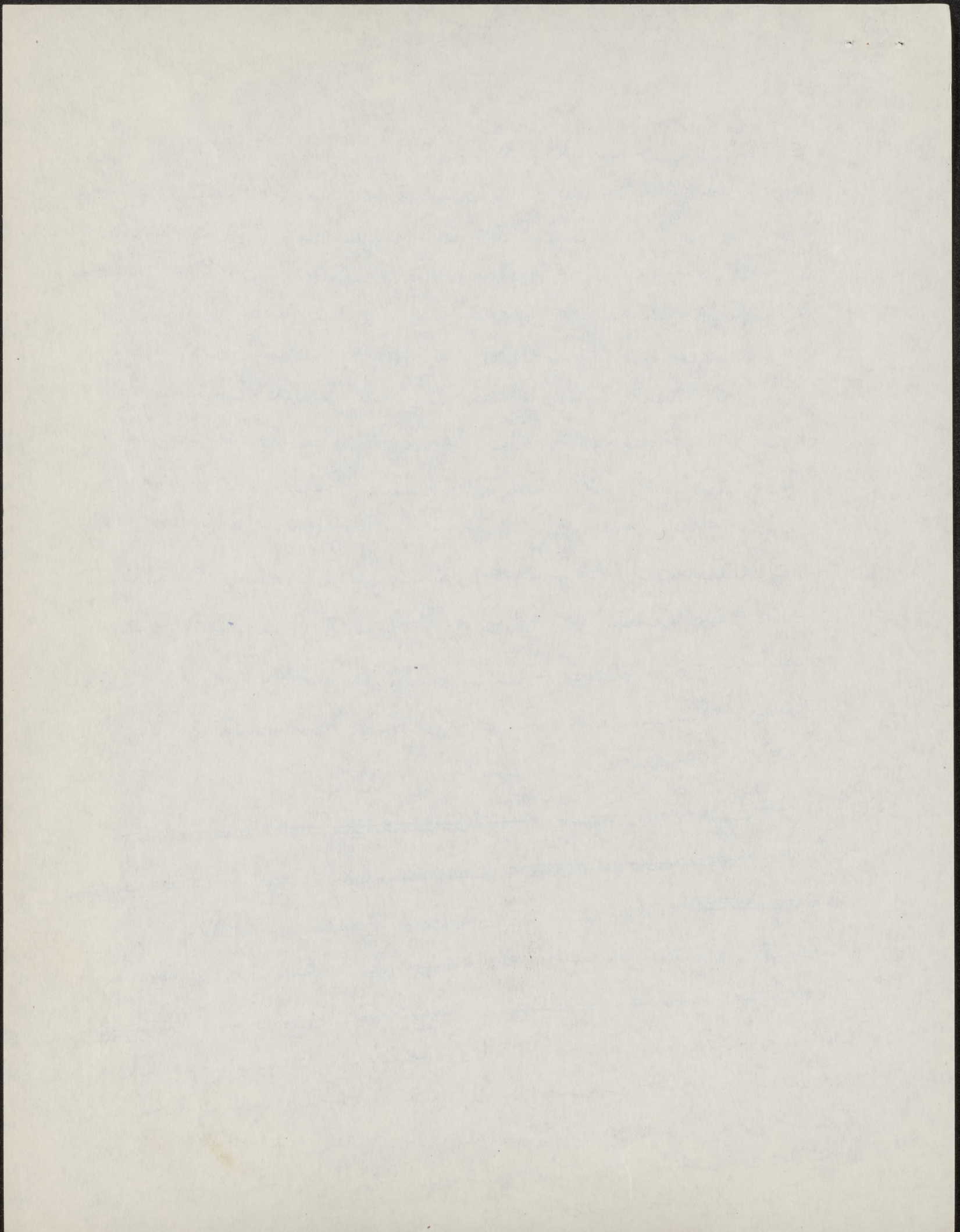


379. Sanchez's band - which never numbered nearly 200, began to grow, until he had about 100 men. Some were impelled by exasperation of past losses, some by fear of vicarious punishment for Sanchez's deed; and there were some 20 men who had been recruited for Castro's army, but had not joined that force, and had been roving at large around the countryside secretly since the fight at Natividad. There were also a few veterans of Castro's dispersed army.

380. Somewhat tardily, it would seem, (Bartlett was captured on the 8th of Dec.) on Dec 25, Weber + 33 men marched to attack the foe - then changed his mind, + went to S.F. for reinforcements

380-81. ~~The account of the battle + casualties~~
~~(4 Americans killed + 4 wounded, and 2 American~~
~~wounded) tallies with Hall's History of~~
~~San Jose, Schmitt's History of Santa Clara~~
~~Valley and Horner's Historic Spots in Calif.~~

Bancroft's version of the battle tallies with other historians but he states very clearly that no Californian was hurt! The account up to the surrender is the same as other accounts -



Bancroft while denying that any of the Californians were killed, nevertheless gives a number of authorities who say different.

He quotes from the S. F. Calif. "Star" of Feb 6, 1847, which says 4 mexicans were killed + 5 badly wounded.

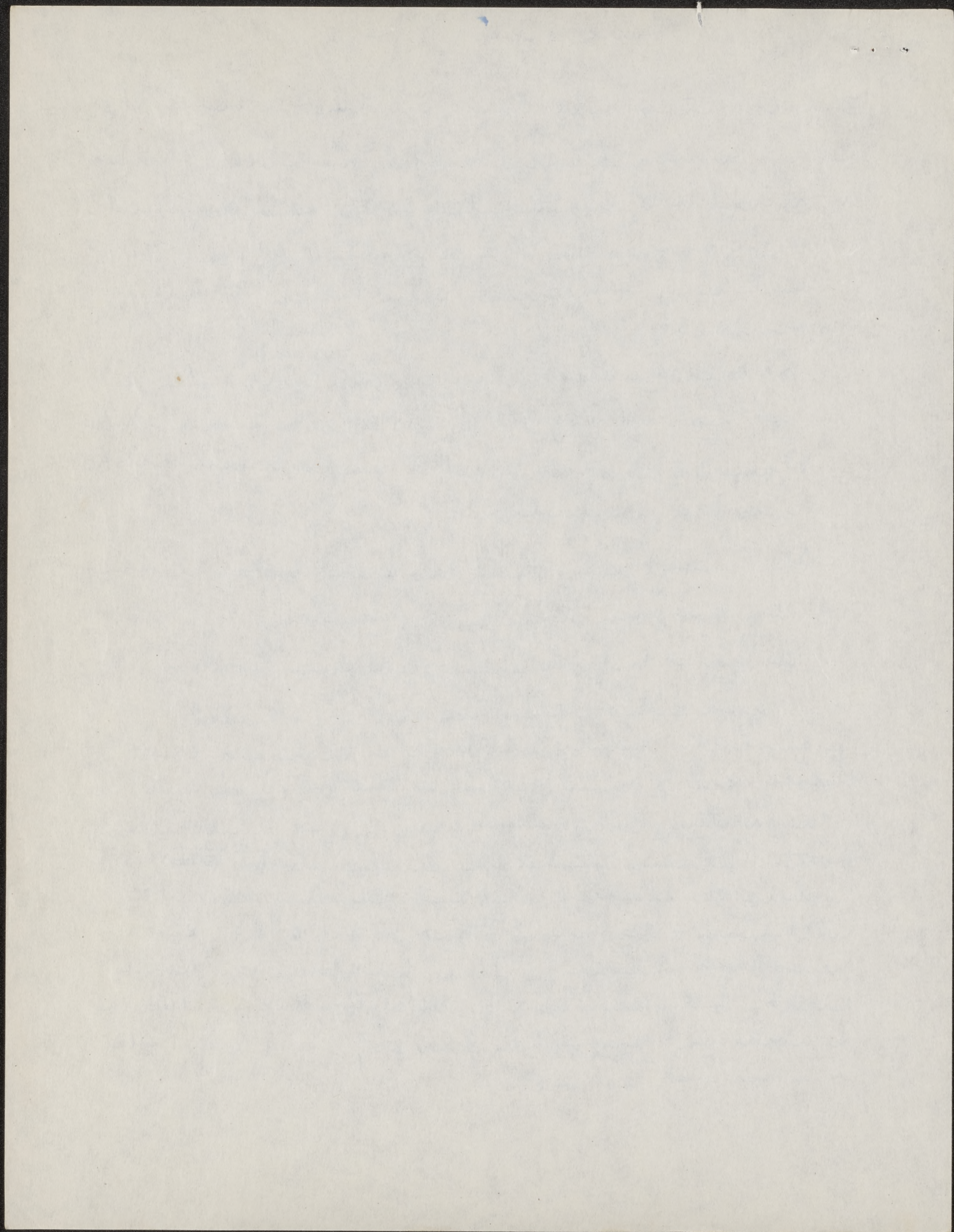
He also quotes the Annapolis Civil, Literary and Naval Gazette of 1850, in which a writer claimed that at least 5, and a 'considerable number' wounded.

Bancroft says that the great distance prevented anyone from being killed.

He fails to give any authority, however, for his assertion that no one was killed.

He quotes the Santa Cruz Times as claiming that there were 8 men killed on the Mexican side!

The Monterey Californian, Jan 16, 1847, mentions no battle but says "Sanchez was driven into ^{Santa Clara} ~~the hills~~ by Weber, & the leaders met and Sanchez agreed to withdraw & disband." But on Feb 6, 1847, same newspaper it says: "There had been an hour's fight. 2 Americans wounded & mexicans losing a horse but probably having some men killed & wounded as well."



861. On learning of Flores' rebellion, Manuel Castro, a cousin of José Castro, and several others ~~Picos~~ who had given their parole to Stockton, broke them & hastened to offer their services to the new General.

Oct 23, 1846, Manuel Castro was appointed Commandant of military operations in the north with headquarters at San Luis Obispo.

Francisco Pico and José de Jesús Pico were officers under him.

864. Sarkin was kidnaped, but treated well. He was held as a medium of exchange for Mexican prisoners that might later be taken.

367-11- ^{Nov. 11} Battle of Natividad was fought in which Capt. Burroughs and 4 other men - the Mexicans losses are not known. Both sides claimed a victory ^{Manuel Castro commanding.}

344-5- Capt Andrés Pico defeats Kearney at San Pasqual in latter part of Nov.

390-7- But Kearney + Stockton defeated the Mexicans Jan 8-9 near L.A. and on the 13th a truce

405. was signed at Cahuenga by Fremont + Pico Terms of treaty.

The first thing I noticed when I stepped
out of the car was the cold. It was a
sharp contrast to the warm blanket I
had been sitting under. The air was crisp
and clear, and I could see the snow-covered
trees in the distance. I took a deep
breath and felt a sense of peace.
The snow was soft and fluffy, and it
covered everything in a thick layer.
I walked slowly, trying to keep my
balance. The snow was slippery, and I
wasn't used to it. I looked down at
my feet and saw the snow sticking to
my shoes. I tried to shake it off, but
it was too much. I was stuck. I
looked up and saw a group of people
walking in the distance. They were
all dressed in winter clothes, and they
were walking with a purpose. I
wanted to join them, but I was too
stuck. I tried to move, but I couldn't.
I was in a bad situation. I needed
help. I looked around and saw a
house in the distance. It was a small
house with a red roof. I walked
towards it, and I saw a person standing
in the doorway. I called out to them,
and they came towards me. They
helped me out of the snow, and I
felt relieved. I was safe. I was home.

COUNTY Santa Clara REG. NO. # 260

LIBRARY
u.c.

NAME OF LANDMARK Armistice Oak Tree Site.

AUTHOR Cleland, Robert Glass

TITLE History of California: The American Period

F 861

C6

X

VOLUME _____ NO. _____ PAGES 195-205, 209-211, 222-224.

CITY OF
PUBLICATION New York.

DATE OF
PUBLICATION 1922

BRANCH

ON

DATE

NAME OF BANK

NUMBER

TYPE

RECEIVED

NO.

AMOUNT

TO THE

OF THE

RECEIVED

RECEIVED

196. The proclamation against Fremont by Gen-
Jose Castro. March 8, 1846.

" Fellow Citizens:

A band of robbers commanded by
a Captain of the U. S. Army, John C. Fremont,
have, without respect ~~for~~ the laws and authorities of
the Department, daringly introduced them-
selves into the Country and disobeyed the
orders, both of your Commander-in-Chief, ~~and~~
of the Prefect of the district ~~by~~ which he was
required to march forthwith out of the limits
of our territory: ~~and~~ without answering
their letters, he remains encamped at the
farm, "Natividad," from which he sallies forth
committing depredations and making
scandalous skirmishes.

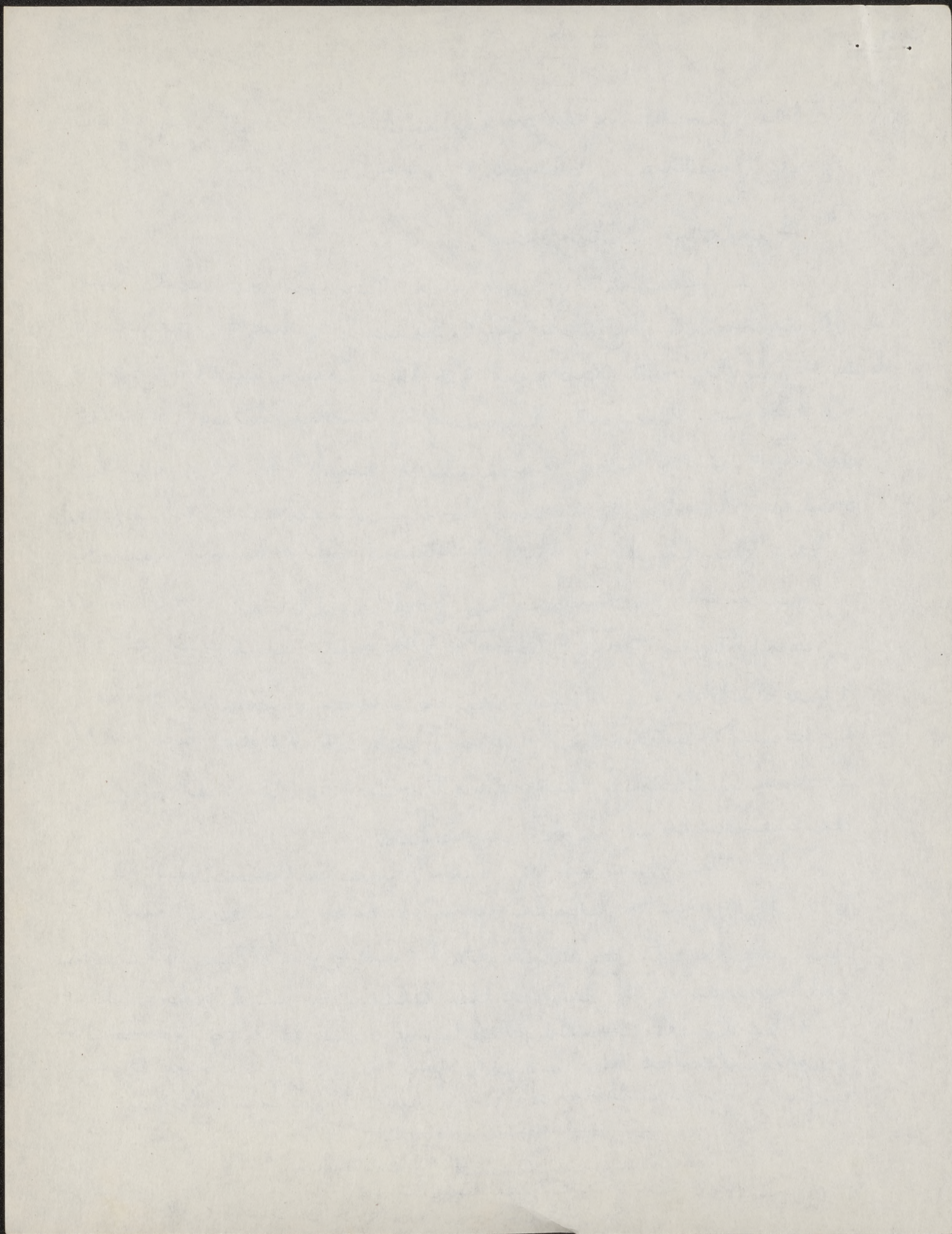
In the name of our native Country, I
invite you to place yourselves under my
immediate orders at headquarters, where we
will prepare to lance the ulcer which (should it
not be done) would destroy our liberty ~~and~~ in-
dependence for which you ought always to sac-
rifice yourselves, as will your ^{friends} fellow citizen

Signed: Jose Castro.

Headquarters at "San Juan."

8 March 1846 Signed Jose Castro.

copied from photo of original MS.



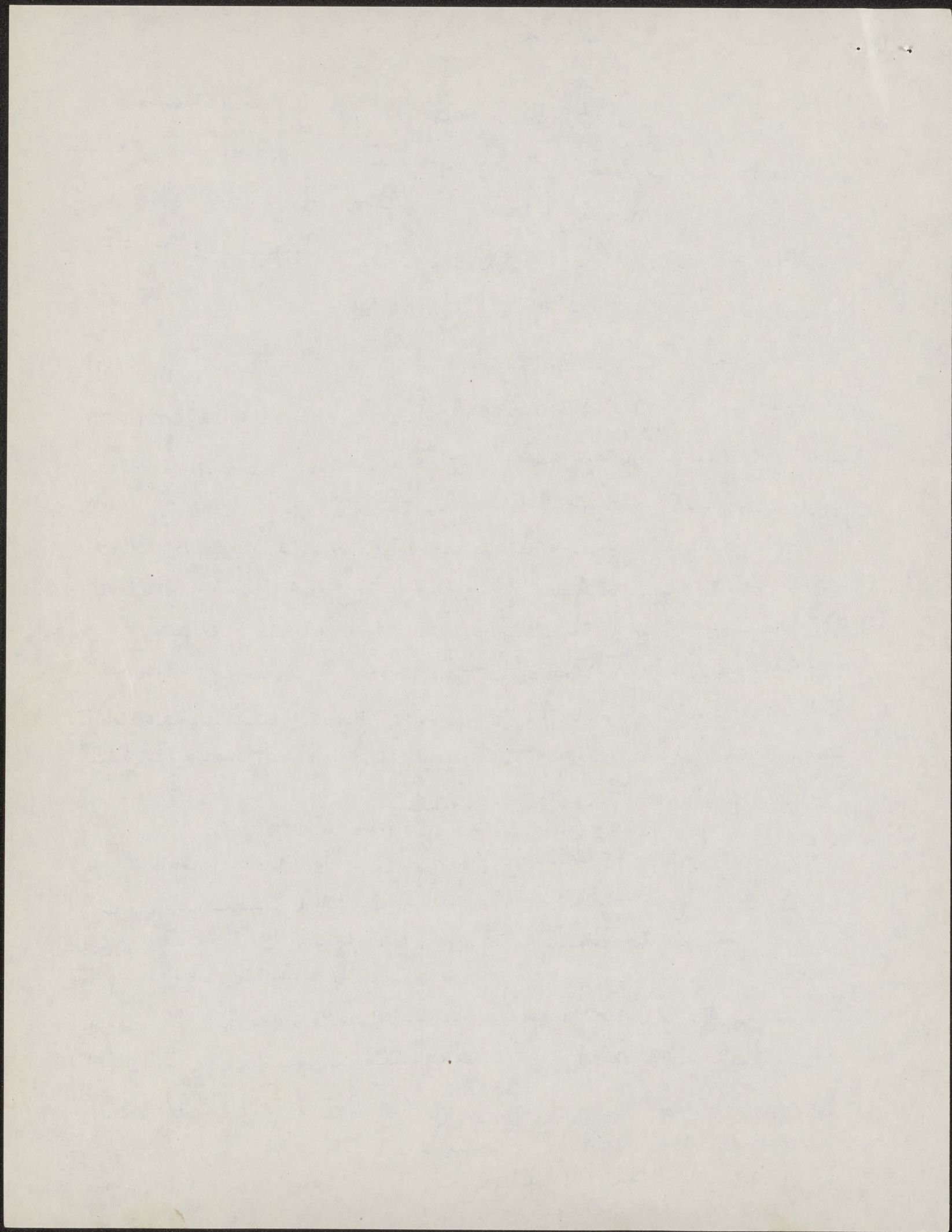
200 - He (Fremont) did not save California by his presence here, nor did he take an active part in the Bear Flag rebellion, but he did give it his moral support, & by secret promises of aid if it should be needed.

How far he was actually responsible for what happened is a question that is much disputed and one upon which there is no possibility of an agreement by historians.

Laying all prejudice aside & admitting that personal ambition played its part, we must still acknowledge that Fremont, viewing the situation in the light of what he knew of Calif, and believing that Pres. Polk had determined to acquire Calif, pursued a not altogether blameworthy course—

201 - Rumors, (whether of Mexican or American origin, we do not know) reached the Americans at Fremont's Camp that a band of horses were being driven from Sonoma to Santa Clara for mounts to be used by soldiers who were to march against the American immigrants -

Under the leadership of Ezekiel Merritt, they were seized & brought to Fremont's Camp - no blood was shed the Mexicans looked on this as



pure robbery -

next came on June 14, the Bear Flag revolt + the arrest of Gen Vallejo, who was friendly to Americans -

202. The Party under leaders Merritt, Sample + Mc Knight went with Vallejo to his quarters to explain to him what it was all about -

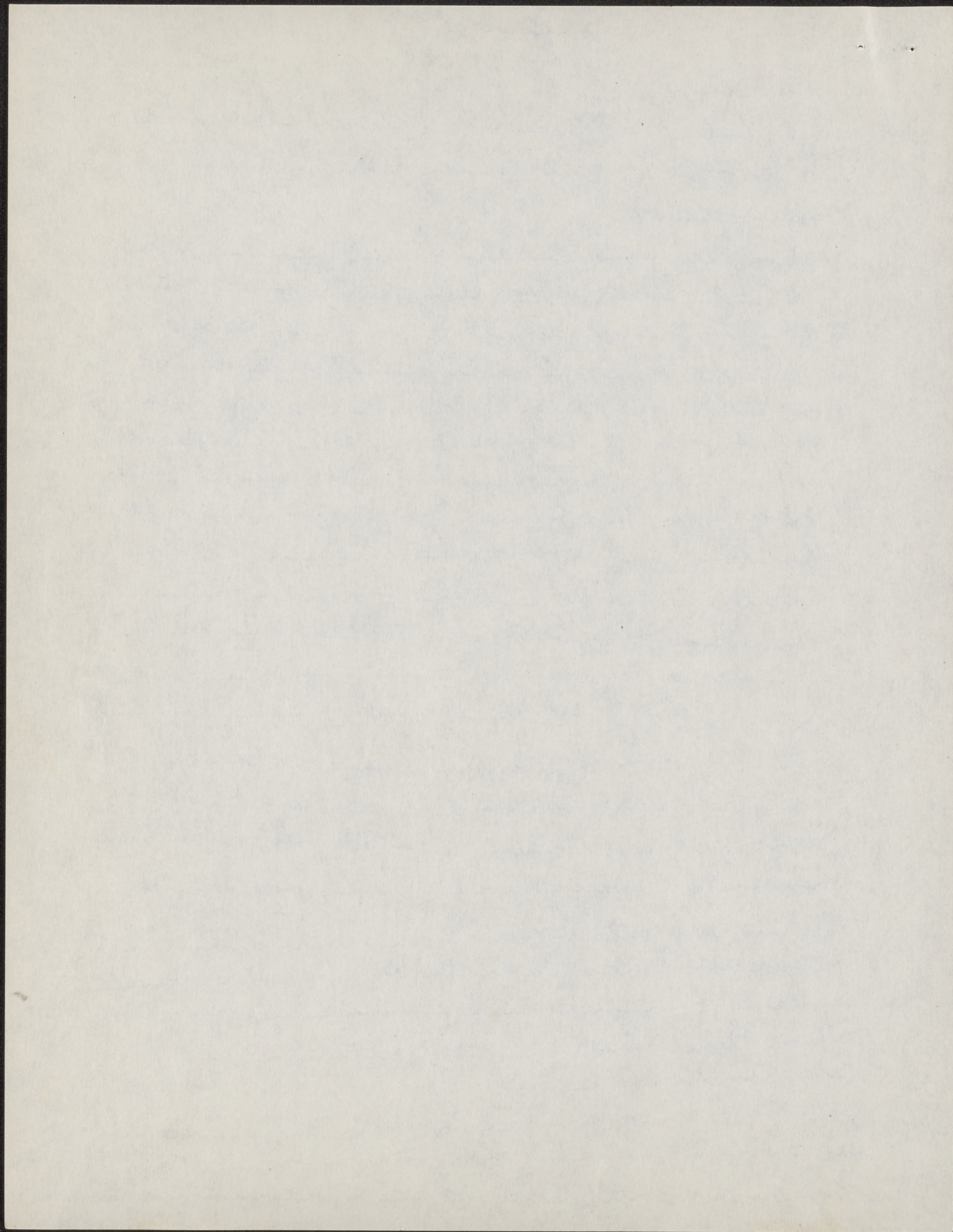
Vallejo knew it was senseless to resist, but he pled the three with wine and brandy - They were gone so long that the men outside grew impatient + deposed Merritt + elected John Frisby in his place - Frisby went in + stayed so long that Wm B. Ide was sent in - When Ide went in, he found the 4 men too drunk to transact business - At last Ide got the articles of surrender drawn up + signed -

Gen Vallejo + his brother Capt - Salvador Vallejo + Col - Victor Prudon^{of Fort Geary} were sent as prisoners of war to Fremont's Camp, with positive assurances that no harm should befall them or their property. Then the Bear flag was hoisted -

203. A few days later 2 Americans were ambushed + captured + put to death by a band of Mexicans. Some of Fremont's men, under orders of Kit Carson, shot three inoffensive Mexicans - The tension grew -

Castro + Pico composed their differences + sent out a call for Mexicans to rally -

204. Pico in the South sent out the proclamation -



204.

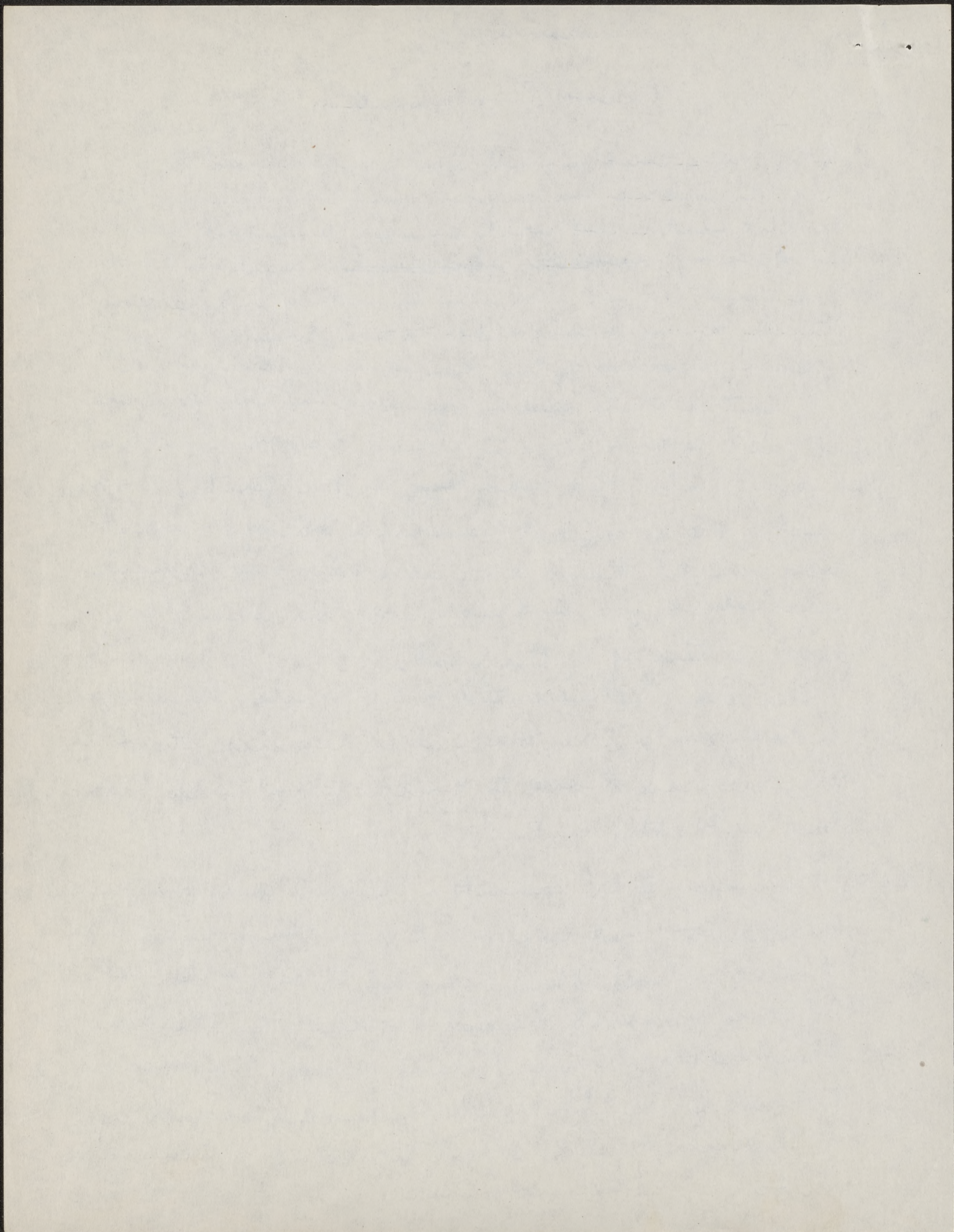
Pico's Proclamation:

"Fly, Mexicans! in all haste in pursuit of the treacherous foe; follow him to the farthest wilderness; punish his audacity; ~~remember~~ and in case we fail, let us form a cemetery where posterity may remember to the glory of Mexican History of the heroism of her sons."

But despite such appeals, the Californians did not want war — when Pico marched north to join Castro, he had ~~only~~ but a party 100 men. Castro & Pico met at San Luis Obispo & what they might have done will always remain conjecture, for by this time, the Bear Flag was a thing of the past.

The war between the U.S. & Mexico had reached California the Mexicans learned that they would have to contend, not with Fremont, but with the U.S.A.

205. Perhaps Ide, Merritt & Semple were misguided patriots but we must give them credit for doing what they believed to be for the best. If Mexico & U.S. hadn't declared war, the "Bear Flag Revolt" might have brought to a successful conclusion the third method of acquiring California: i.e. by an uprising of American settlers in the province.

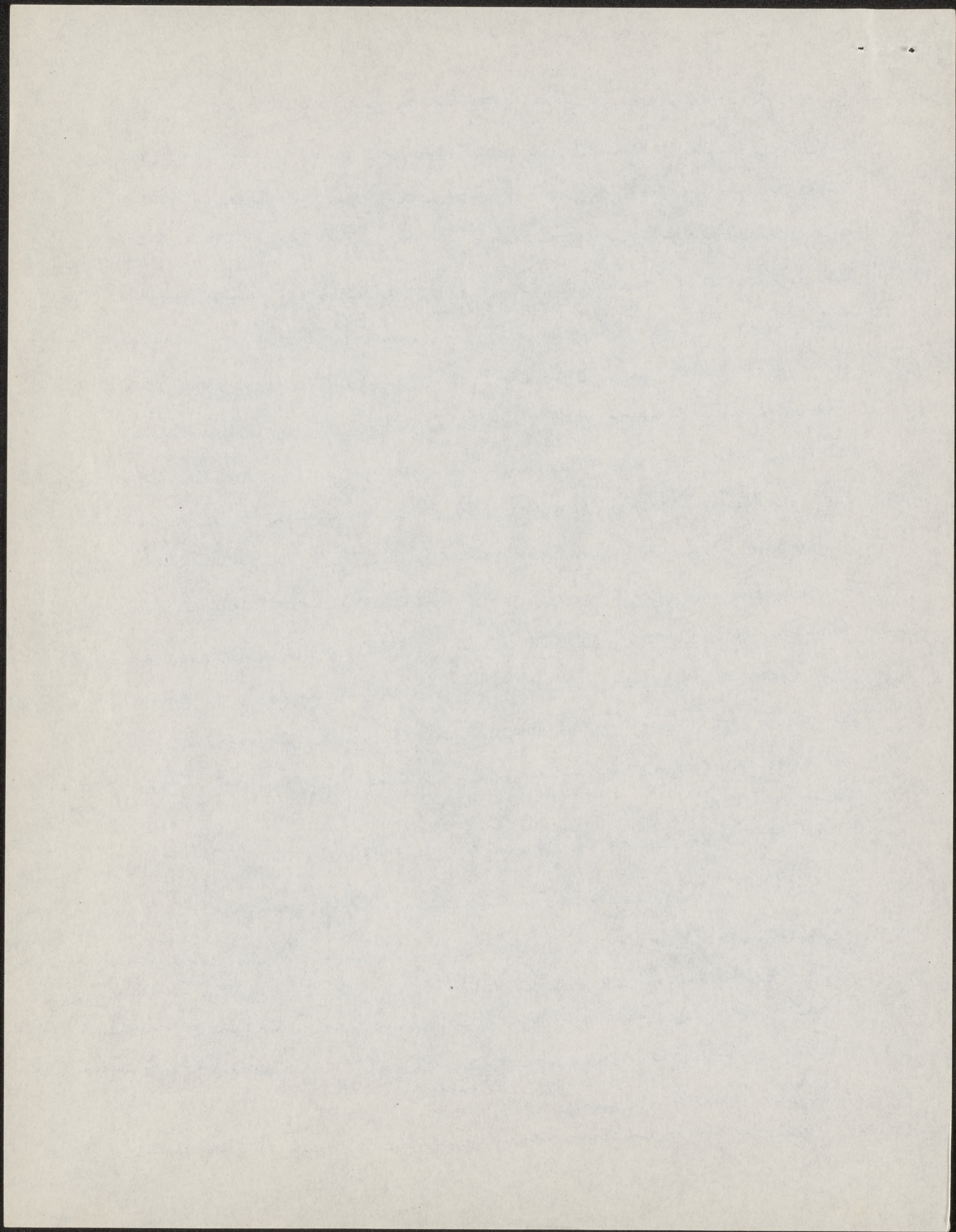


223. With Kearney + Stockton in Control in the south, further resistance was unthinkable. After a great deal of negotiation a peace pact was signed by Fremont + by Pico. It was called the "Cahuenga Capitulation," and the terms were that there was to be no revenge for broken paroles, no condemnation of property ~~and~~ no discrimination between Californians + Americans, no restriction of departure from the province and even no oath of allegiance until a peace treaty would have been formed between the U.S. and Mexico. All the Californians had to do was surrender their arms, (a few muskets and two cannon) and promise to refrain from bearing arms against the U.S. again.

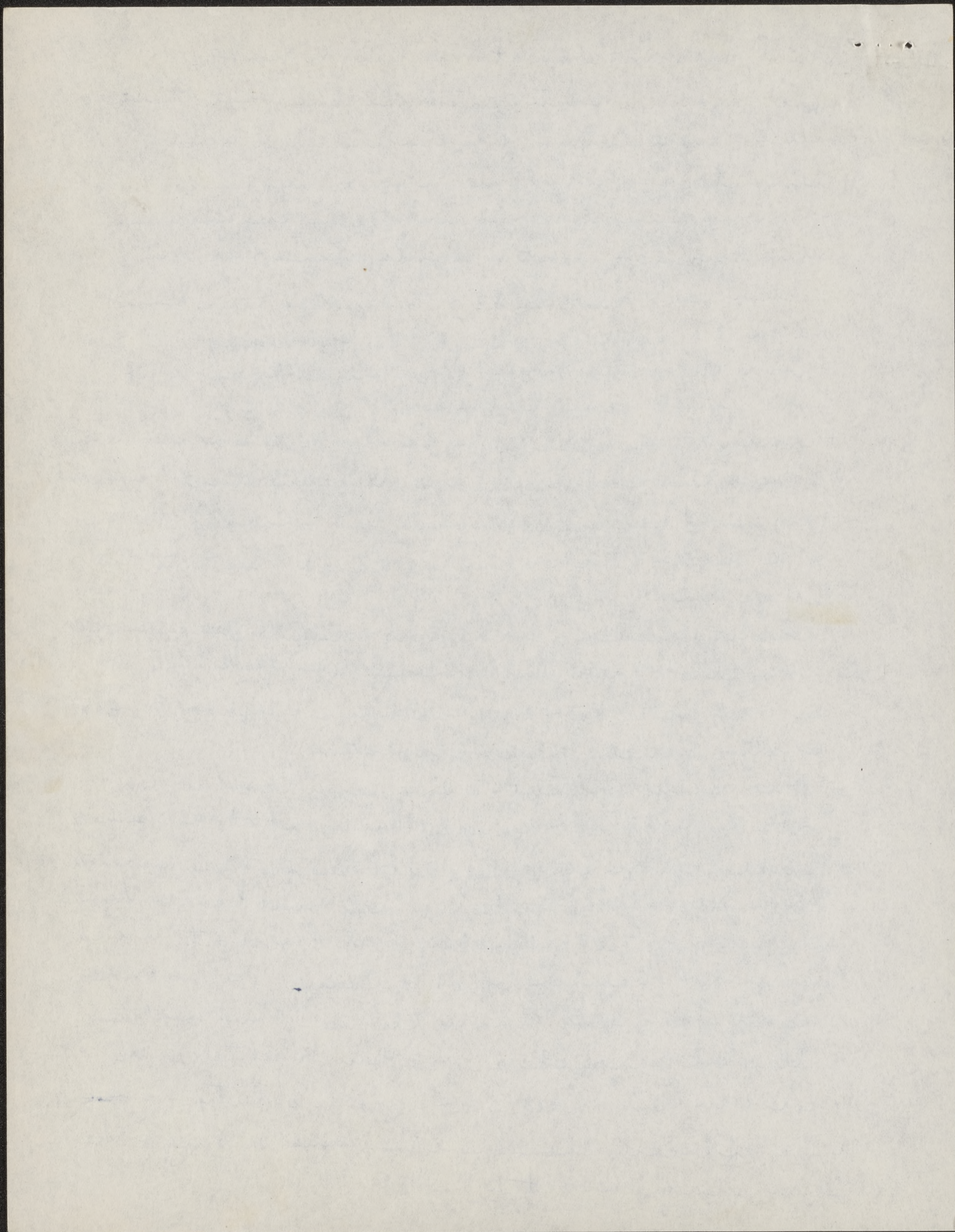
It was signed Jan 13, 1847.

A new day was to dawn in California.

209. Castro + Pico gave up after the Americans had raised the flag over S.F. They fled - Castro to Mexico. Many of the Mexican leaders gave their parole.
211. Then Flores rose in the south. Andres Pico + Jesus Pico joined him. ^{+ Manuel Castro.}
222. Jan 8. Flores surrendered. The war was over.



- 195 - while Fremont was at Monterey on Jan 29, 1846, Prefect Manuel Castro asked Larkin what these soldiers were doing. Larkin assured him of Fremont's peaceful mission & intentions. Fremont was given permission to winter in the province.
- 196 - Later Fremont went to Santa Clara Co & met Walker and his band & encamped near San Jose on the Laguna ranch - in February. From there the ~~com~~ combined forces went into camp near Salinas.
197. Fremont was ordered by Castro to leave immediately or face the consequences. He didn't trust Fremont. Fremont refused & moved his forces to the top of Hawk's Peak nearly & dared Castro to dislodge him.
- Castro decided - He had no wish to precipitate a war that Fremont appeared to be seeking. Fremont, after 3 or 4 days, withdrew & left for Oregon.
- Castro issued his proclamation -
- 198 - One Lieut Gillespie came from Washington with despatches & caught Fremont at the Klamath Lake region in May. After reading the despatch from Senator Benton (which must have contained the news of the approaching war) Fremont turned around & headed back to Calif. whether right or wrong, Fremont had no choice. The despatches Gillespie carried urged him to return to the Mexican province - It was his duty as ~~an~~ a U.S. officer. Then came the horse seizing & the Bear flag revolt.



COUNTY	<u>Santa Clara</u>	REG. NO.	<u>#260</u>	LIBRARY	<u>U.C. Lit</u>
NAME OF LANDMARK	<u>Armistice Oak Tree Site</u>			<u>F</u>	<u>868</u>
AUTHOR	<u>Elias, Sol P.</u>			<u>38 E 6</u>	<u>X</u>
TITLE	<u>Stories of Stanislaus</u>				
VOLUME		NO.		PAGES	<u>166, 167,</u>
CITY OF PUBLICATION	<u>Modesto</u>			DATE OF PUBLICATION	<u>1924</u>

166. ... "May 5, 1829, Sergeant Sanchez, with forty men and a swivel gun, left San Francisco for the location of the fortifications of Estanislao^①. In two days after, reinforced by troops from San Jose, he reached the spot where the Indians had entrenched on the banks of the Rio Estanislao near the junction of the San Joaquin. It was in a dense and extensive thicket which was difficult of penetration. Through this the soldiers endeavored to make their way. While this operation was proceeding the Indians charged upon the forces under Sanchez. The battle raged all day. Muskets were used by the men under Sanchez; muskets and arrows were the weapons of the Indians. The swivel gun was ineffective. At sunset Sanchez withdrew. On the following morn-

① Estanislao - a swarthy Indian chieftain who embraced Christianity in the early decades of the last century, after several years, fled from religious life and returned to his wild life on the plains of old Stanislaus and became a bandit, rivaling the exploits of Joaquin Murietta and Tiburcio Vasquez of a later era.

LIBRARY

NO. 100

DATE

NAME OF LIBRARY

ADDRESS

CITY

STATE

CO.

VOLUME

DATE OF

RECEIVED

LIBRARY

NO. 100

166-

ing Sanchez and his forces returned to the combat. As before, it continued throughout the entire day. The siege was ineffective. Two of the assaulting troops were
167- killed after entering the woods and eight were wounded. The exhaustion of the men and of the ammunition caused the siege to be abandoned. The Sanchez contingent retreated to San Jose. Sergeant Soto died from the effects of his wounds. Estanislao was unconquered.

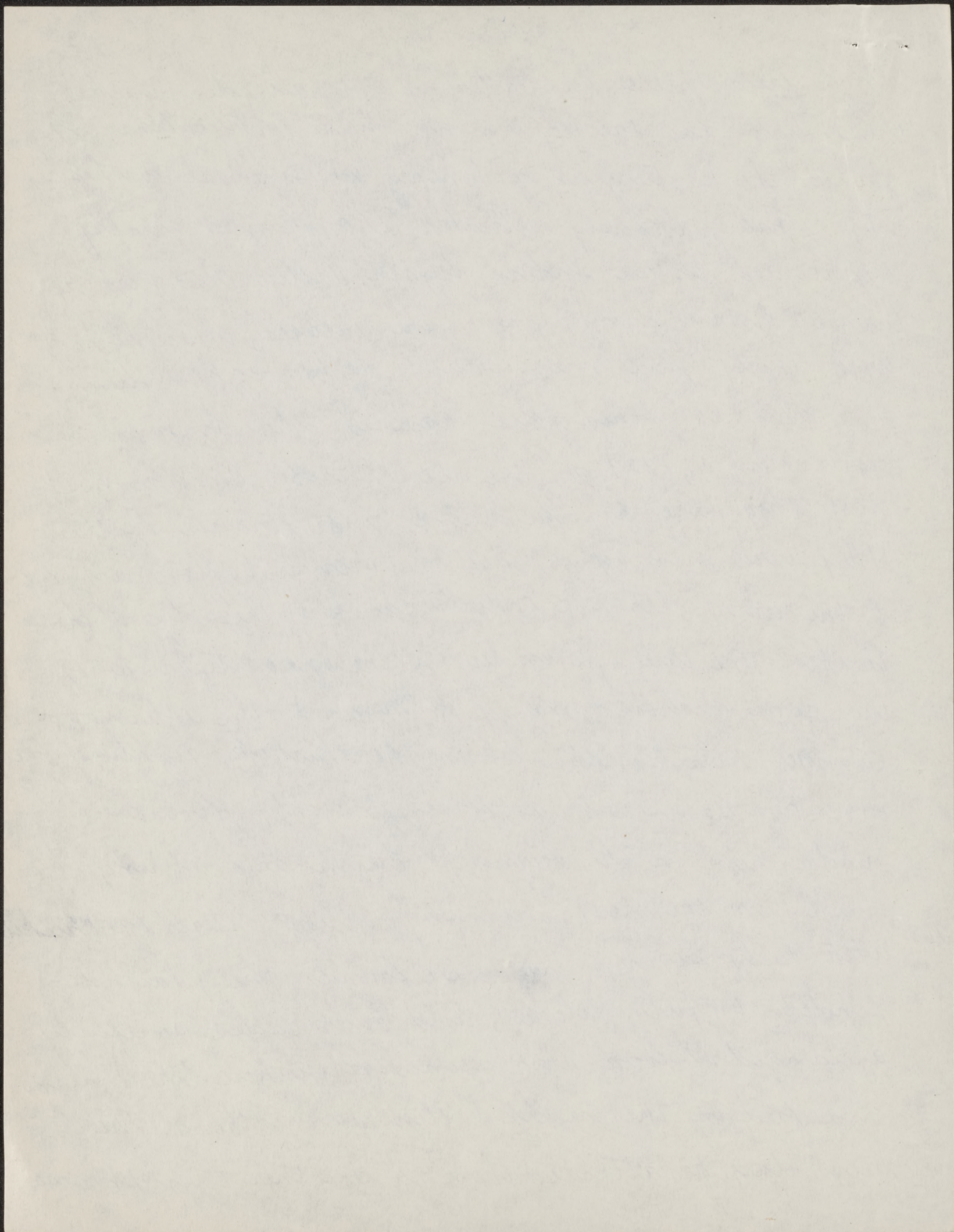
"The victory of the Indians over the Spanish soldiers was due to the insufficiency of the force sent against them ...

"A new expedition was prepared to dislodge the Indians on the Rio Estanislao. A contingent of forty men, under Sergeant Sanchez from San Francisco, marched to the thicket where the Indians were encamped. Observation showed that the Indians were too strongly entrenched. Sanchez reported that a larger force was necessary to fight the Indians successfully. An expedition from Monterey was at once organized to reinforce Sanchez. It was under the command of General M. G. Vallejo, who had risen to the rank of commander-in-chief of the army. This army was fully equipped with infantry, cavalry and artillery, and took with

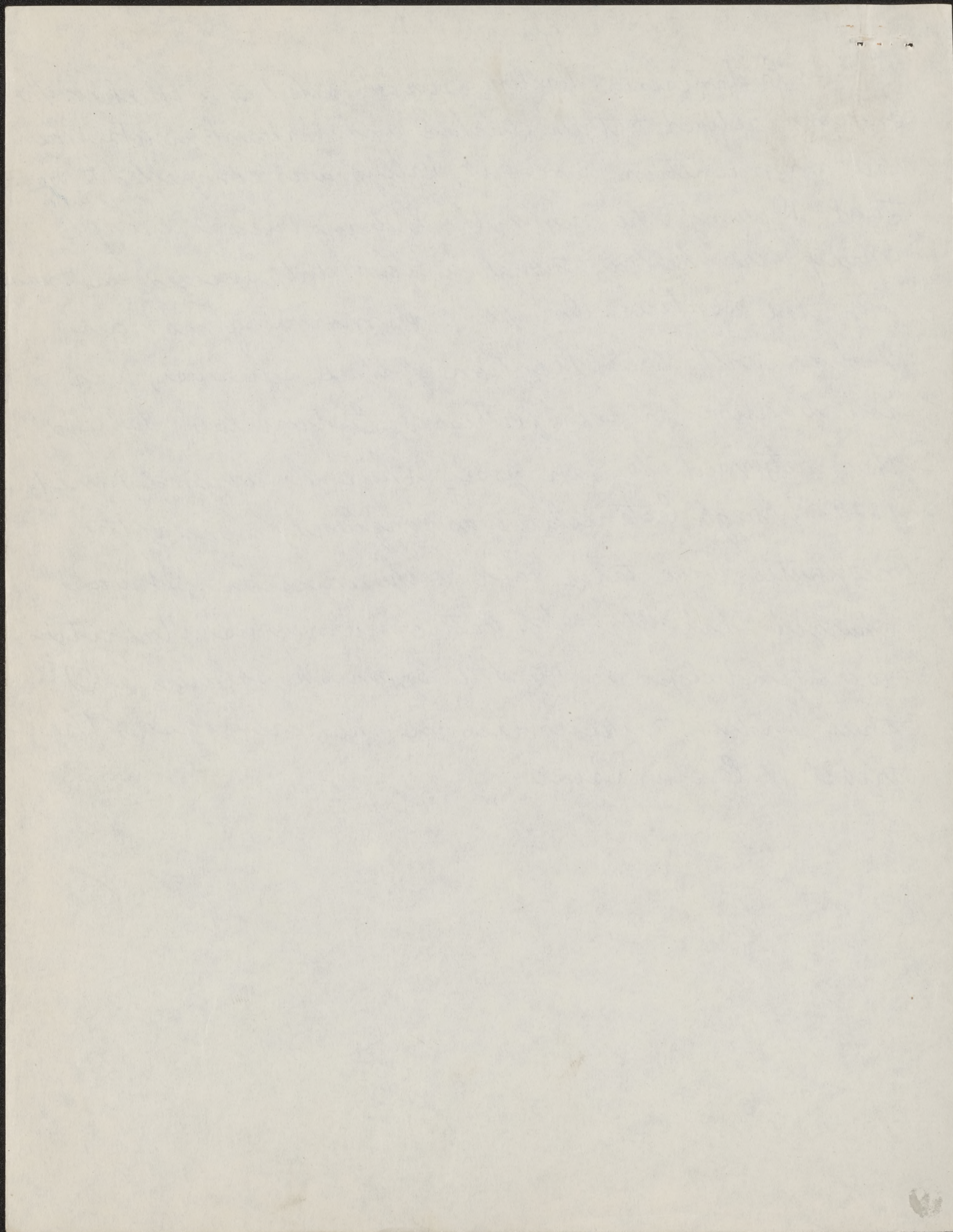
52

it a field piece for battering the palisades which the Indians had erected among their fortifications. He joined the contingent of Sanchez at San Jose, to which city he had previously retreated. Though not greatly experienced as an Indian fighter, Valleyo had just returned from a campaign in the Tulares, where he had, with thirty-five men, slain forty-eight Indians.

"This combined force crossed the San Joaquin river May 29, 1829, by the use of rafts. On the next day they were at the scene of the former battle. They were met by a hail of arrows. Valleyo set fire to the wood. As the Indians came to the edge of the thicket the three-pounder on the opposite bank of the river destroyed many of them. In the afternoon Sanchez attacked the foe in the thicket, fighting for over two hours with a force of twenty-five men under him in the burning brush and retiring at dusk. On the next morning Valleyo entered the thicket with thirty-seven men. He found the place defended by pits, ditches, and barricades skilfully arranged. Blood was seen everywhere. The Indians had fled in the night. Valleyo pursued them. The next day he attacked them in another thicket near



the Rio Estanislao. Valleyo surrounded this thicket. The Indians retired to their ditches and embankments. When his ammunition gave out, Valleyo was compelled to retreat. During the night the Indians tried to escape. Many were killed, though a few did succeed in evading the sentries. On the next morning not an Indian, with the exception of three squaws, was found alive in the fortress of Estanislao. Valleyo then returned to San Jose, where he arrived June 1, 1829. Though Estanislao was conquered, none of the neophytes were taken back to the mission. It was charged that after this battle numerous atrocities were indulged in by the Spanish soldiers and their Indian auxiliaries on the members of the tribe of Estanislao.



COUNTY Santa Clara REG. NO. #260

LIBRARY

NAME OF LANDMARK Armistice Oak Tree Site,
AUTHOR Encyclopedia Britannica
TITLE _____u.c.
A.E. 5
E4
1929
V.H. P.R.VOLUME 4 NO. _____ PAGES 595, 596CITY OF
PUBLICATION New YorkDATE OF
PUBLICATION 1929Benjamin Eaker.

P 595. Even before the "Bear Flag revolt", the people of California had considered throwing off the yoke of Mexico. In 1831, Gov. Victoria was deposed, in 1836, Gov. Chico was frightened out of the province. His successor, Gov. Nicholas Gutiérrez was driven out of office within the same year, and in 1844, Gov. Manuel Micheltorena was ousted. The leading Californios, mostly native born, headed this last rising.

There was much talk of independence from Mexico. California was ripe for a change of government, but sectional and personal jealousies could not be overcome. Then, too, most Californios hated the "Americans" more than they did Mexico.

596. The U.S. always wanted California — for its sea ports — Jackson tried to buy it in 1835. Mexico refused.

YEAR 11

1911

...

1867

252

10

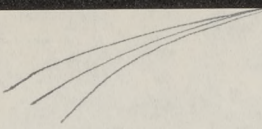
1875

Foreign interference was feared - Mexico feared Great Britain and Russia - Also the U.S. - The U.S. also feared England + Russia had designs on both California and Oregon. France was likewise thought to be waiting an opportunity to gain a foothold on the Pacific Coast.

In short, it became imperative that the U.S. acquire California.

In 1842, Commodore Jones, U.S.N., believing that war had been declared between the U.S. and Mexico, raised the American flag over Monterey on Oct 21, to the great surprise and indignation of the citizens. Finding next day that he had acted on misinformation, he pulled down the flag and apologized profusely and warmly. This did little to clarify the diplomatic issue or to relieve the growing tension between Californians and citizens of the U.S.

1845 Jos. Larkin the U.S. Consul at Monterey, was instructed to work for secession of Calif. from Mexico without overt aid from the U.S., but with their good will and sympathy. He made friends with many influential Californians, and was assured that such a revolution would take place before 1848,



just what the U.S. proposed to do in such an event is not quite clear, but they sent battle-ships to occupy all Calif. Ports to be on hand in case war was declared.

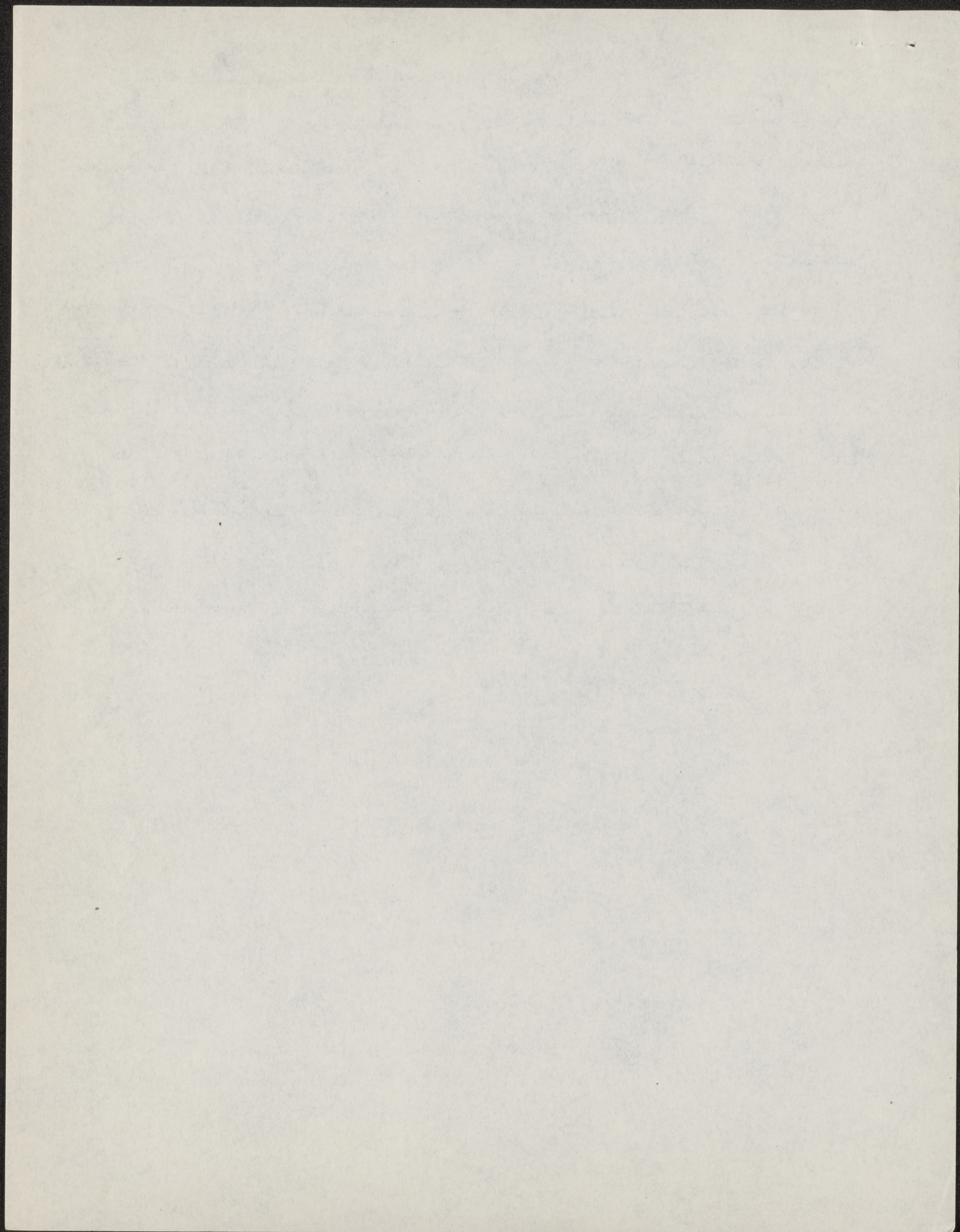
That same year, 1845, Capt J. C. Frémont, was sent out, ostensibly on a Govt surveying expedition. He aroused the suspicions of the Californians by suspicious, and probably intentionally provocative movements. Whether acting under orders from higher up or not has never been established, but, in violation of international amities, he broke the peace and caused a band of Mexican cavalry horses to be seized.

Also under his prompting, some American⁽²⁾ settlers under one Wm Ide, seized the fort at Sonoma and made a hostage of General Vallejo. The "Bear Flag" was hoisted (July 14, 1846). There was short-lived talk of making Calif a free state. The Californios had wanted a free state but they did not relish the idea of it belonging to the Jungsos.

Fortunately, for the dignity of history, and for Frémont, Commodore John Drake Sloat, (who

had by now been appraised formally of the existent state of war between the U. S. and Mexico), on July 7, 1846, raised the American flag over Monterey, proclaiming Calif. as part of the U. S.

The aftermath of Fremont's filibustering acts, followed by totally needless hostilities between Californians (who had small love for Mexico) and American settlers, and by injustices then and later in the attitude of the Americans toward the native Californians, is a regrettable page of California history.



COUNTY <u>Santa Clara</u>	REG. NO. <u>X 260</u>	LIBRARY <u>U.C.</u> <u>E 5</u> <u>E 4</u> <u>1929</u> <u>V. 15</u> <u>Periodical Room</u>
NAME OF LANDMARK <u>Armistice Oak Tree Site</u>		
AUTHOR _____		
TITLE <u>Encyclopedia Britannica -</u>		
VOLUME <u>15</u>	NO. _____	PAGES <u>390</u>
CITY OF PUBLICATION <u>New York</u>	DATE OF PUBLICATION <u>1929</u>	

P 390. The Texas question was largely responsible for our entry into a war with Mexico - Texas had applied for admission into the Union in 1836, but was refused because it was slave territory - In 1845, however, fearful of British & French influence in that territory, a resolution of annexation was adopted, and on Dec 29, it was admitted as a state.

The American Ambassador in Mexico was sent home and the Mexican envoy at Washington was recalled.

Pres. Polk hoped to avert war, and to that end sent one Slidell to Mexico City to settle the disputes about boundary lines, and the unsettled damage suits of Americans against the Mexican Govt - and also, if possible, to purchase Calif & New Mexico.

The war party in Mexico was too strong however - Polk was informed that Mexico

NAME

COUNTY

NAME OF LAND

ACRES

TITLE

DATE

NAME

DATE OF

CITY OF

RECORDATION

RECORDATION

desired war-- A State of War was declared to exist in May^m 1846--

The war ended with the signing of the Treaty of Guadalupe on Feb 2, 1848-- By its terms the U.S. paid Mexico the sum of \$15,000,000 for territory acquired, and assumed all claims of her citizens against Mexico--

My dear Mr. [Name]
I have just received your letter of the 10th inst.
and am glad to hear from you. I am well and hope
this finds you the same. I have not much news to
write at present. I am still in the same place.
I have been thinking of writing you for some time
but have been so busy that I could not find time.
I am sure you are well and hope to hear from you
again soon. I am, dear Mr. [Name], very truly
yours,
[Signature]

COUNTY	<u>Santa Clara</u>	REG. NO.	<u>#260</u>	LIBRARY	<u>✓</u>
NAME OF LANDMARK	<u>Amistia Oak Tree Site</u>			<u>u.c.</u>	
AUTHOR	<u>Eldredge, Zoeth Skinner</u>			<u>F861</u>	
TITLE	<u>History of California</u>			<u>E4</u>	
				<u>V-3</u>	<u>X</u>
VOLUME	<u>3</u>	NO.		PAGES	<u>77-86, 92, 96, 102-105, 124-50</u>
CITY OF PUBLICATION	<u>New York</u>			DATE OF PUBLICATION	<u>1910</u>

P. 17. Says: One martin, who was in Fremont's Command, has left a MS in which he says that Fremont was ordered to leave Gavilan (Hawk's Peak) peak by Larkin, the Consul at Monterey.

Castro attributed Fremont's departure to fear. He averred that Fremont had fled, leaving clothing + war material, at the sight of "two hundred patriots."

LIBRARY		COUNTY	
NAME OF LIBRARY		NAME OF LIBRARY	
ADDRESS		ADDRESS	
CITY		CITY	
STATE		STATE	
VOLUME		VOLUME	
CITY OF		CITY OF	
PUBLICATION		PUBLICATION	
DATE OF		DATE OF	

P. 96- Says: Lind Bartlett + 5 men were captured Dec 8, 1846 when they were in Santa Clara Valley purchasing cattle. It also says that Sanchez's men were prosperous ranchers who were exasperated because of the losses they had suffered from Fremont's recruits. Bartlett was taken in hope that while he was a hostage, they (the ranchers) would be given some kind of pledge that their property would be respected.

Says: In Battle of Santa Clara, 2 Americans were wounded but no Californians hurt. Sanchez was promised at the time (tho' unofficially) that the Mexican's property would be respected in future, + nothing would be taken without fair compensation. Bartlett + his 5 companions were released and said they had been well-treated, so it would seem that the only purpose of the kidnapping was the one already mentioned.

P. 77- No opposition was shown at the flag raising in S.F. on July 9, 1846. Flags were sent to Sonoma and also to Bodega. Castro's men deserted him + he retired first to San Luis then to Mexico.

20

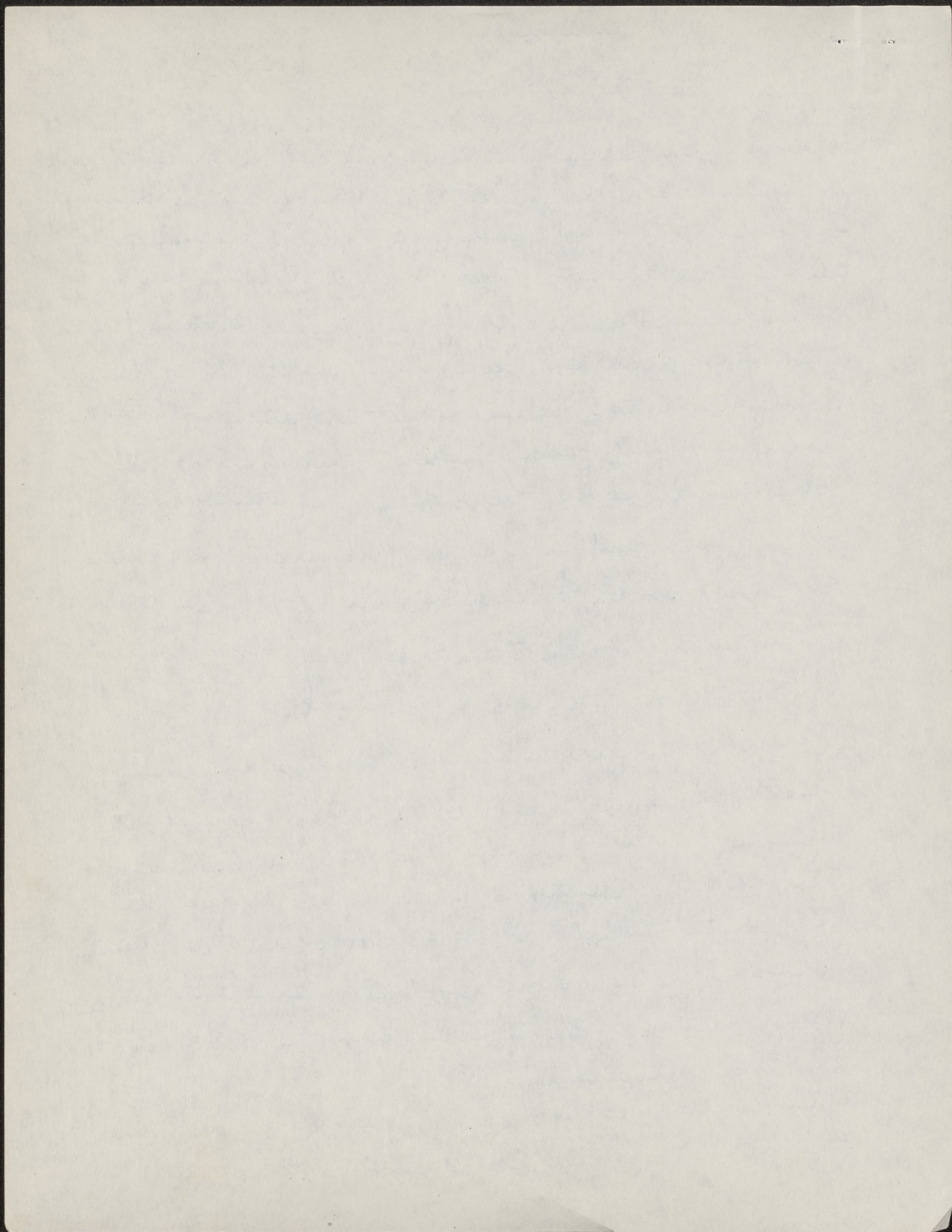
Biography of Weber and Fallon.

78. Chas M. Weber came to Calif 1841 with the Bidwell party & later settled at San Jose, where he engaged in business. He joined the Californian's Army & helped in their campaign against Micheltorena, and was afterward captain of a militia company which was relied upon for defense against the Indians and for the general protection of the community. (He refused a captaincy with Castro's regulars and took a like commission with the Americans - thus angering Sanchez -)

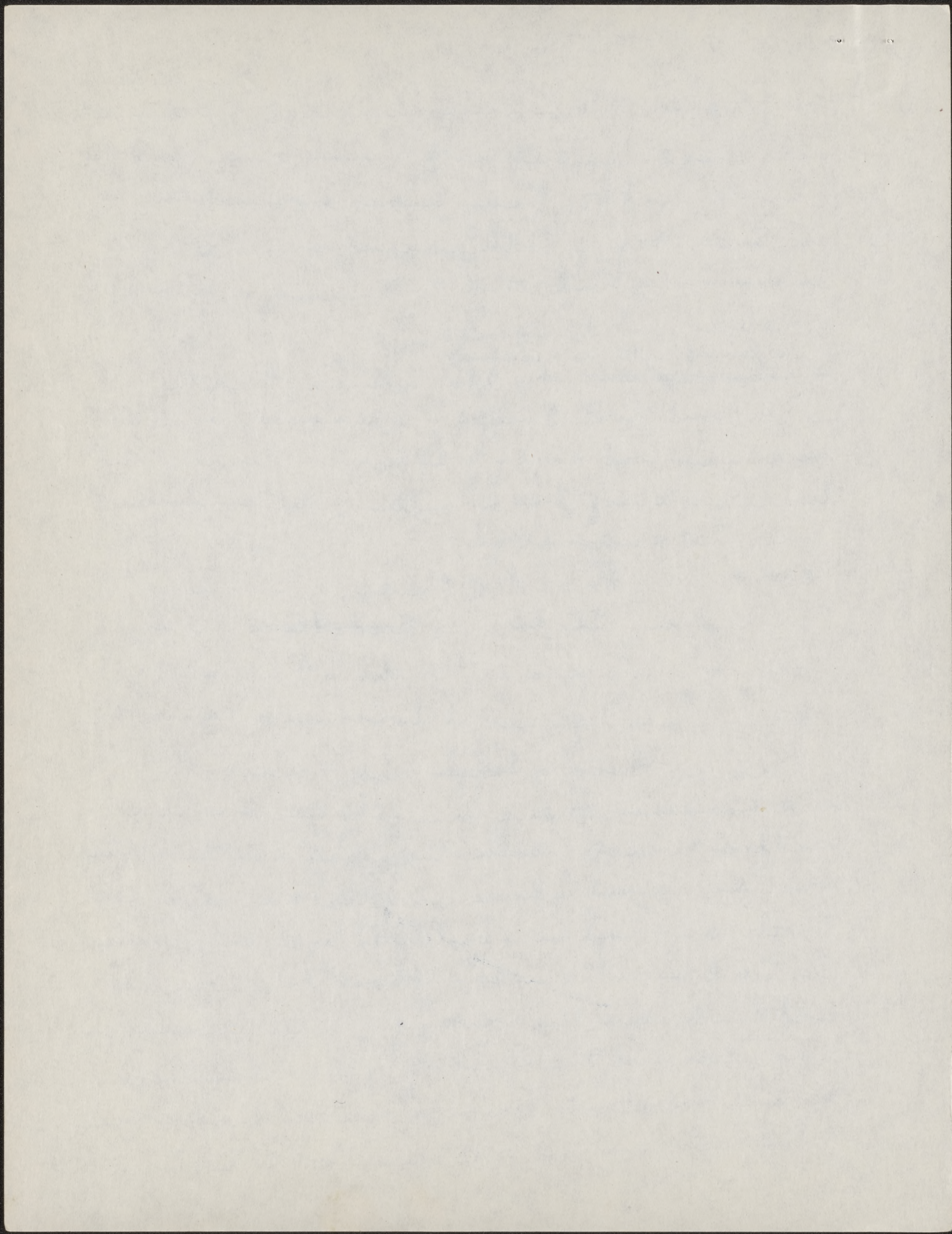
78. Thos. Fallon was a Canadian who came to Calif with Fremont in 1844. He was in sympathy with the "Bear Flag" movement, but took no active part in it.

81-83. Fremont in letter to Senator Benton accuses Castro of trying to incite Indians against the whites. He also infers that the horses were seized from Castro at his orders. He describes the brutal killing of Cowie & Fowler (two Americans ambushed by Mexicans), but ^{barely} neglects to mention the murder of Berryessa and the 2 Harbors by the Americans.

86. After Castro & Pio Pico had fled - one to Mexico and the other to Lower Calif, Andrés Pico and



- 86- Jose' Maria' Flores, their principal lieutenants, were captured, and with many others, put on parole not to bear arms against the U.S.
- P92. In Sept. Flores, with several others, ~~he~~ broke his parole and took command of a troop of rebels in the south.
102. ~~In a brush with Gen. Kearney.~~
~~Battle of Natividad~~ - The Americans held the field but lost 18 killed + 19 wounded, while the Mexicans lost none + only a few wounded. The lance fighting was something the Americans were not prepared for.
104. But on Jan 8 - 1847, (The day of Sanchez's surrender). The army of ~~Pico Flores Pico~~ Pico and Flores was defeated. On the 13th a treaty of peace was signed at the Cahuenga ranch, by Andres Pico, ~~Flores~~ and Fremont.
- 105- "So it happened that a man who had started a needless war in which others had done the fighting; who had raised a huge army that had never seen battle; who had been outwitted by the only enemy he had been near, and whose only war-like act had been the spiking of a few abandoned cannon and the shooting of three harmless non-combatants, finally received the surrender of the last remnant of the army which others



—4

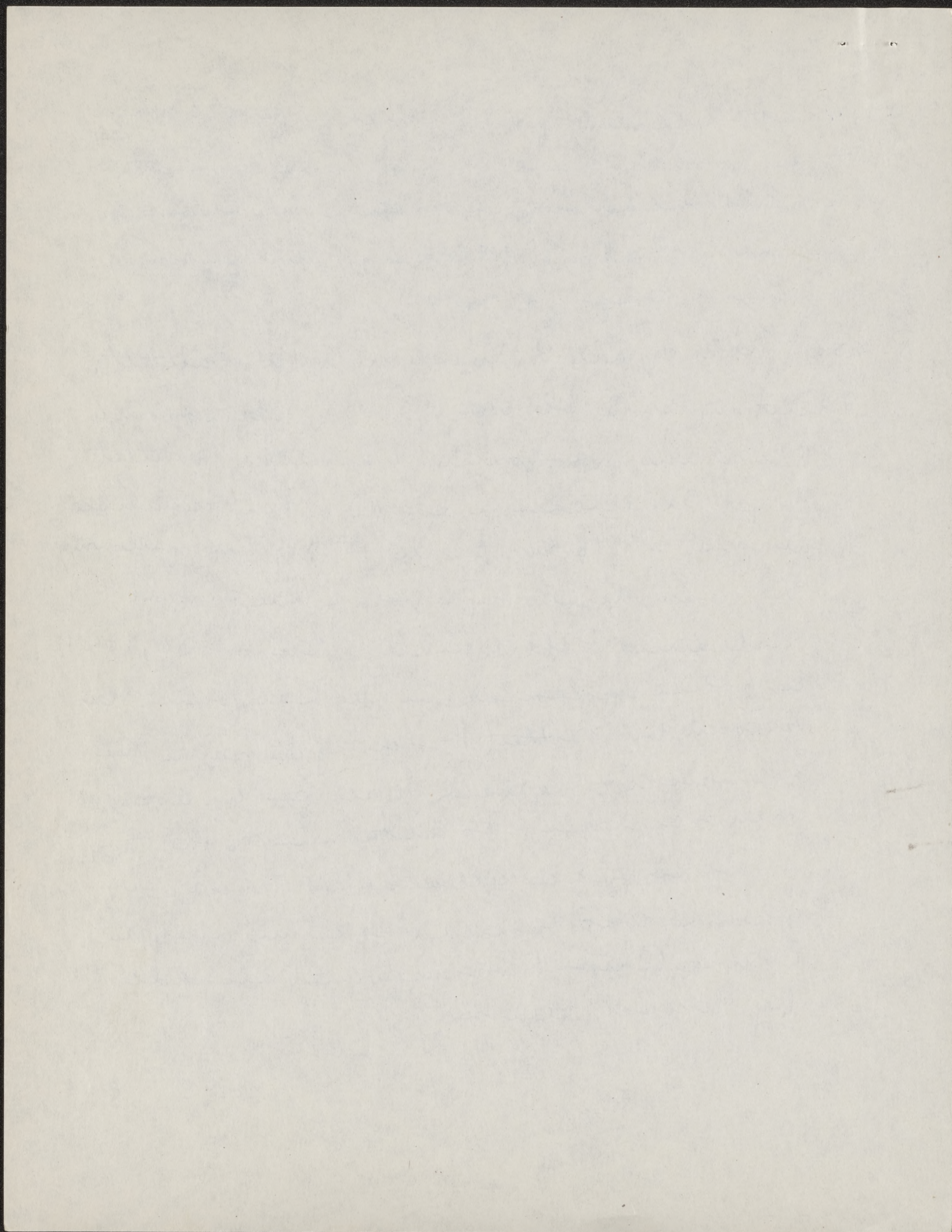
105. had defeated, and signed a peace where there would have been no war except for his meddling in matters he should have left alone." (Eldredge's own personal opinion, page 105: vol 3.)

P. 88. Photo of Lieut. Washington A. Bartlett.

Lieut. of U. S. Sloop-of-war, "Portsmouth."

Captain Montgomery appointed Bartlett first American alcalde of San Francisco August 26, 1846. On the 15th of Sept. following, he was elected by a vote of the people, defeating Robt. T. Ridley. On Jan 30, 1847, a notice appeared in the "California Star," signed by Bartlett, ordering the name "San Francisco" to be used on all public documents and records pertaining to the town.

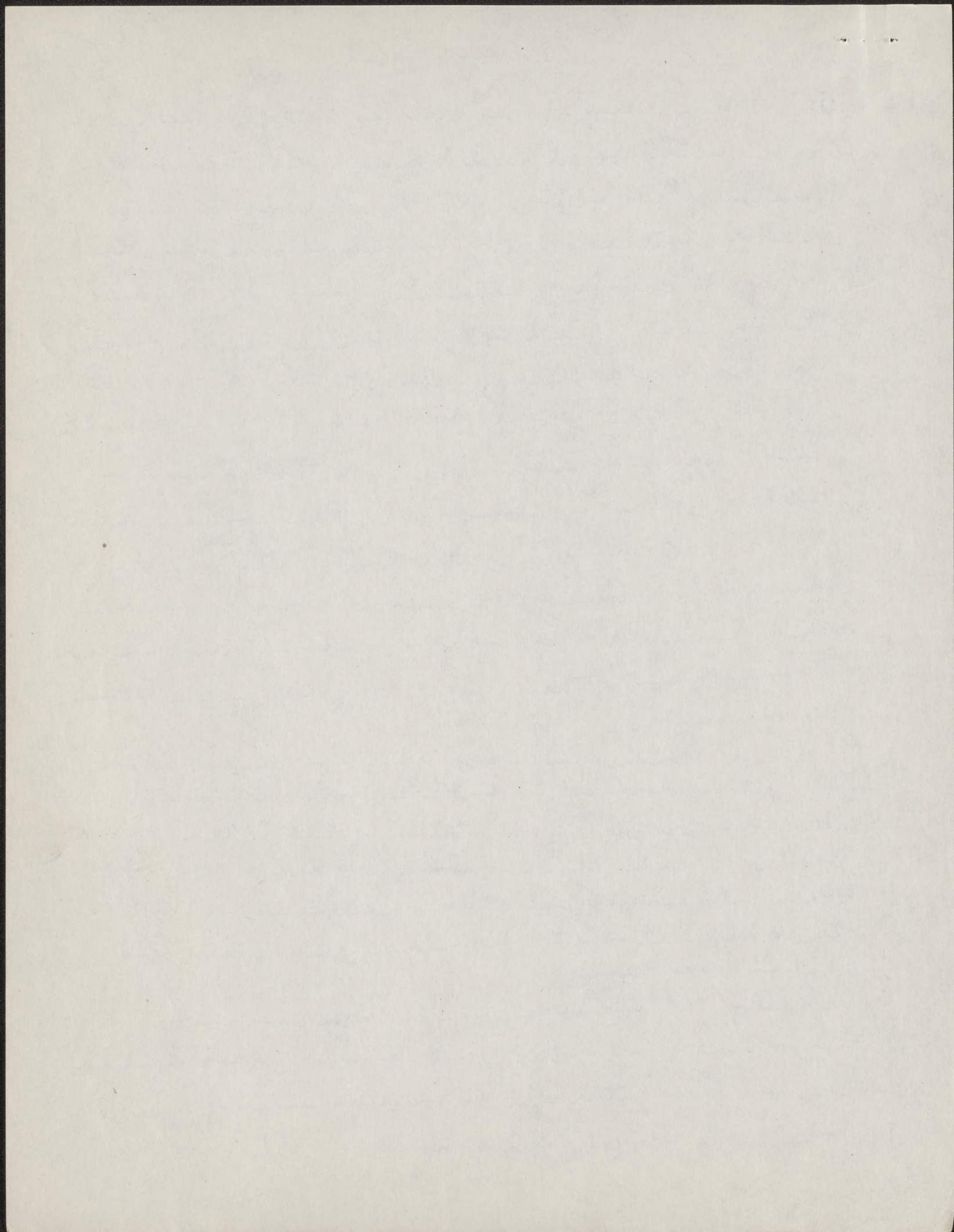
He served as alcalde till Feb 22, 1847, when he was ordered back to his ship, and Edwin Bryant was appointed alcalde by General Kearney.



124. 50. John Reed, of the Donner Party, on Oct 5, 1846, at Gravelly Ford killed one Snyder who was beating his oxen. Mrs Reed was said to have intervened & Snyder struck her. Reed drew a knife & stabbed him - Snyder died. Reed was tried - and banished to starve in the wilderness, without horse, rifle or food. That night, his 12 year old daughter stole away from camp & took Reed his rifle & a bag of food. Mrs Reed & daughter, 12 & son 5, stayed with the party. The party ran out of provisions soon after and became helplessly & hopelessly lost. Snow came early & they were trapped in the ~~Donner~~ mountains.

Reed made his way to Calif., and arrived at Sutter's camp on Oct 25. Sutter estimated that the party had plenty of cattle to eat and Reed felt sure they could get to Calif. He joined Fremont's army, with the understanding that he could return to the mountains until his family was safe.

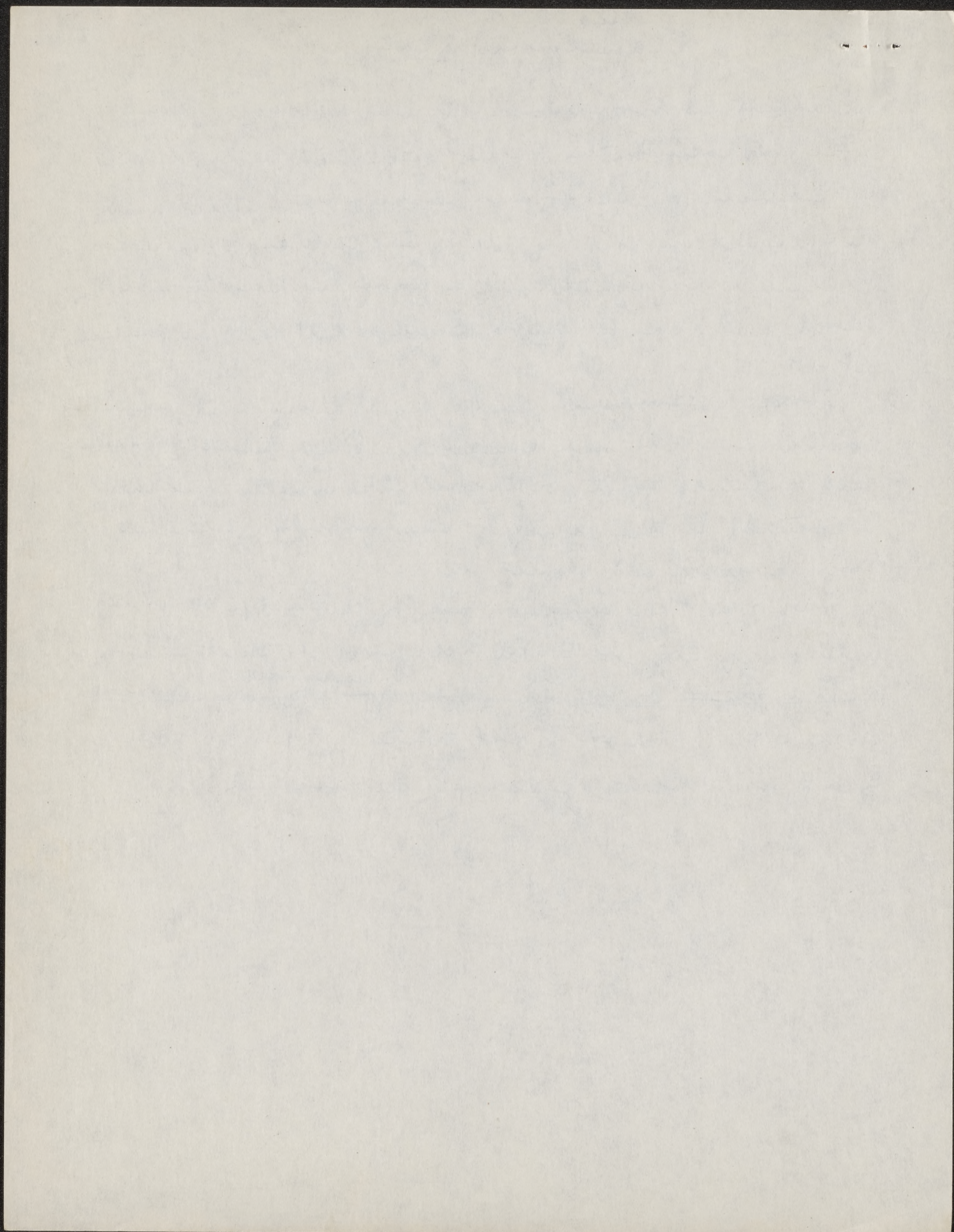
Reed & McCutcheon started with provisions for the mountains, but their Indian guides deserted them & they returned. On Sutter's advice Reed started to Yuba County to ask help from the



military commander - going by way of San Jose, he found the valley occupied by the rebels of Sanchez - He joined Weber's volunteers and took part in the battle of Santa Clara - He was delayed a month and a half by this trouble and did not reach Yuba Buena till late in January 1847.

Some of Somer's party had arrived at Johnson's rancho in a starved condition - Reed hastily organized a relief party & despite the winter weather hastened to the relief of his family - and the men who had exiled him -

Feb 22, they came on part of the party - starving - after suffering untold horrors, all that survived of the ~~sixty~~ ^{seventy} original party of ~~sixty~~ ^{seventy}, were rescued. some 45 of the original party of 79 who were trapped at Donner Lake, were rescued ---



COUNTY Santa Clara REG. NO. 260 LIBRARY W.C. ✓

NAME OF LANDMARK Armistice Oak Tree Site 3. F

AUTHOR Federal Writers Project 866

TITLE California F4 Reading Room

VOLUME _____ NO. _____ PAGES 368-80, 395- X

CITY OF PUBLICATION new york DATE OF PUBLICATION 1939.

Itinerary from San Francisco to Santa Clara -

Highway 101 follows Calif's oldest road - the El Camino Real (Royal Road), the line that linked California's 21 missions, her straggling pueblos + isolated presidios.

In the days of the dons, it was just wide enough for an oxcart + was used by the soldiers of the Spanish king, clad in leather jerkins + helmets + armed with pikes and flint-lock rifles -

Brown-robed, barefoot friars plodded along or rode slow mules on their way between chapels, spaced a day's journey apart.

You ~~leave S.F.~~ at Van start on #101 at Van Ness Ave + Fell St, turn into mission st and on out through Daly City. Past the race tracks at San Francisco, and through San Bruno, where

STATE

OF

INDIANA

B.R.

WPA.

-2

there used to be a stage station in the 50's.

Burlingame, the mecca of tired business men who have summer homes replete with golf links & polo fields - San Marcos, Bay Meadows race tracks and the delightful city of Belmont,

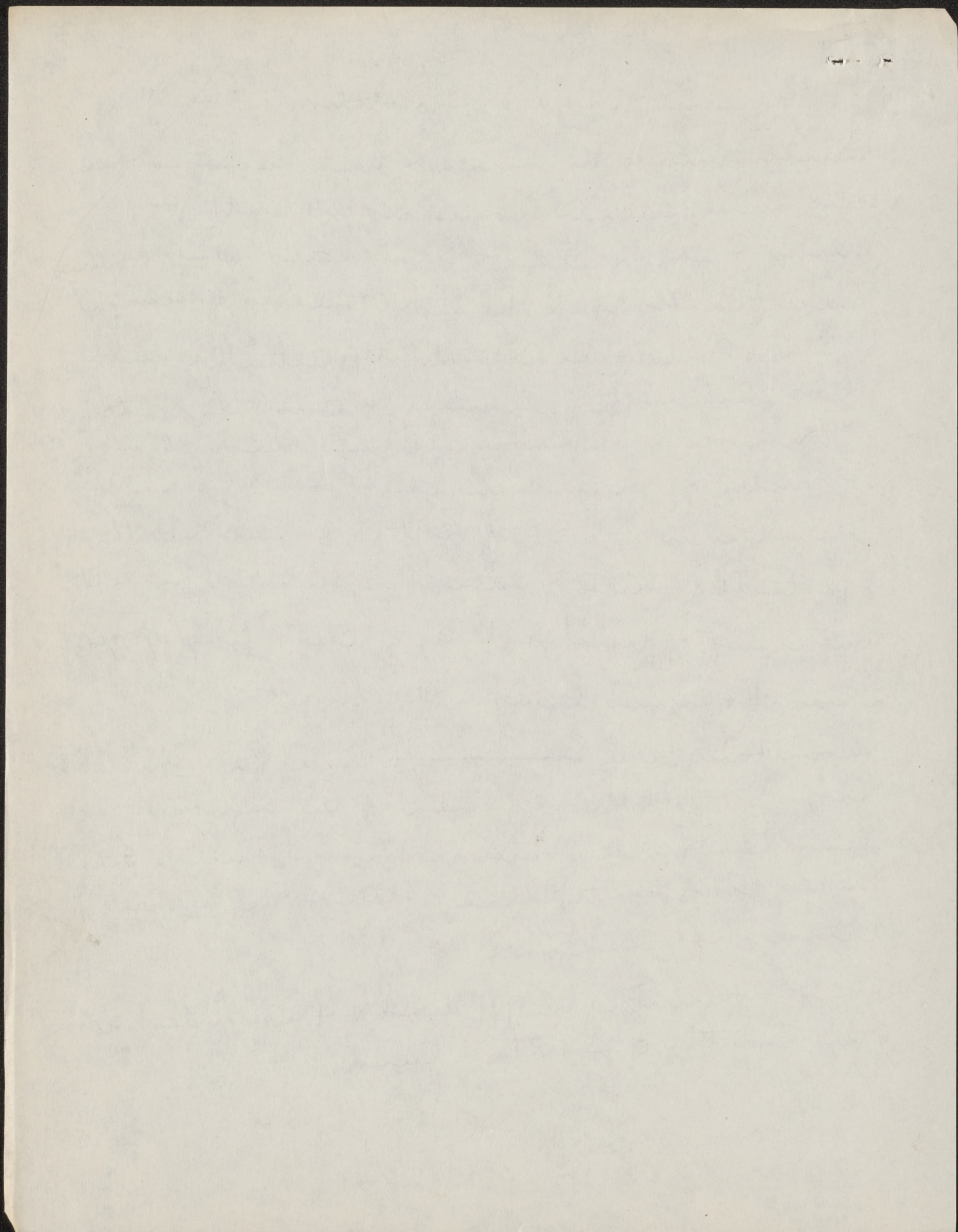
San Carlos, Redwood City, Atherton and that great seat of learning, ~~near~~ Palo Alto.

now U.S. Highway 101 cuts through miles & miles of fruit orchards in Santa Clara Co.

In summer a host of visitors come to see the spectacle of miles of snowy blooms - at harvest an army of fruit pickers - miles of trays of ~~apple~~ apricot & prunes drying in the sun.

Mountain view, ~~Santa Clara~~ then, 42.6 miles from S.F. on the right side of the highway near Lawrence Station Crossing and 2.3 miles from Santa Clara, stands the historic Anniversary Oak Tree.

P. 380 - Californians lost 4 dead & 4 wounded in the Battle of Santa Clara.



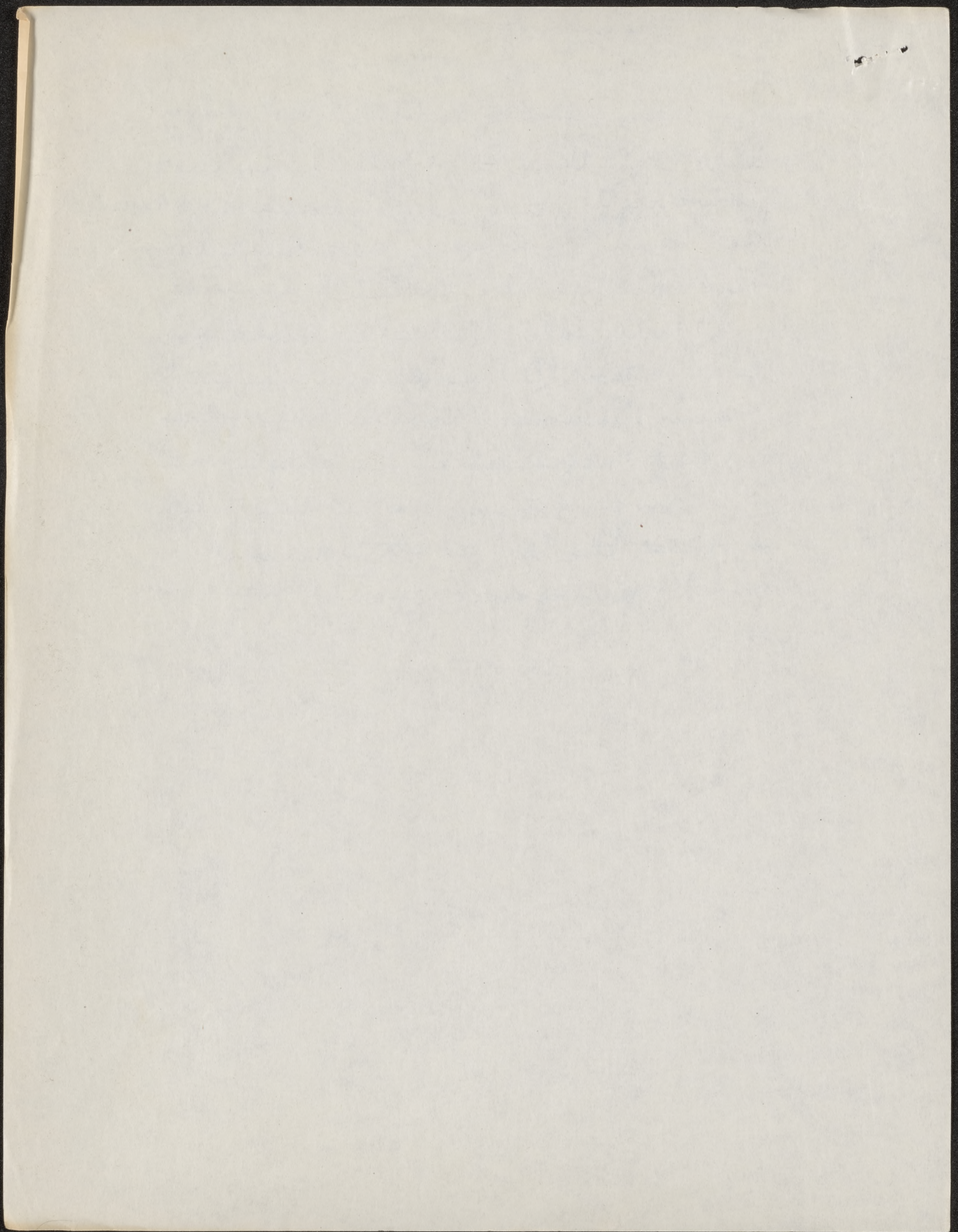
COUNTY	<u>Santa Clara</u>	REG. NO.	<u># 260</u>	LIBRARY	<u>u.c.</u>
NAME OF LANDMARK	<u>Armistice Oak Tree Site</u>			N.S. 19	
AUTHOR	<u>Fremont, John Charles</u>			Per. Stock	
TITLE	<u>The Conquest of California - in Century Magazine - (April 1891) N.S. 19.</u>				<u>X</u>
VOLUME	<u>41</u>	NO.		PAGES	<u>917-928.</u>
CITY OF PUBLICATION	<u>new york</u>			DATE OF PUBLICATION	<u>1891.</u>

921. Fremont states that after Castro ordered him to leave he entrenched his forces on Gavilan Peak where he hoisted the American flag on top a sapling. He remained in possession for three days. Late in the afternoon of the second day he saw a body of Cavalry coming up the hill. Taking about forty men, he went down to where a thicket among the trees made a good ambush and waited for them. They came to within a few hundred yards of Fremont's men, halted, and after some consultation, turned back. After having given Castro three days in which to execute his threat, Fremont says he slowly withdrew.

In a letter to his wife, he said:

Sacramento River,
Latitude 49° April 1, 1846.

" - - - my sense of duty did not permit me to fight them, ^{but} ~~we~~ we retired slowly & growlingly: they had between 3 & 4 hundred men and 3 pieces of artillery, and were raising the country against me on a false and scandalous proclamation. [I had my own men, and many Americans would have joined me, but] I refrained from a single hostile or inglorious act, for I did not dare to compromise the United States, against which appearances would have been strong."



COUNTY Santa ClaraREG. NO. 260

LIBRARY

NAME OF LANDMARK Armistice Oak Tree SiteAUTHOR Fremont, J. C.TITLE Memoirs of my life.uc ✓E 415F 872VOLUME _____ NO. _____ PAGES 650-51CITY OF
PUBLICATION Chicago + New YorkDATE OF
PUBLICATION 1887.

650. It was on Fremont's third expedition to the Coast that he became embroiled with the Californians - He left Bent's Fort on August 16, 1845 and landed in California at the American River in early December 1845 - He visited Sutter at Sutter's fort and then went Southward

Feb 18 - 1846 - at San Jose

Mar 1 - 1846 - at Monterey.

Mar. 14. at Sonolumne River on way to Oregon.

May 14. at Klamath Lake where Gillespie caught him.

June 7. Back in Sacramento Valley

Dec 1846 - Fremont appointed Governor by Stockton.

LIBRARY

BOOK NO.

COUNTY

NAME OF LANGUAGE

AUTHOR

TITLE

PAGES

ED.

VOLUME

DATE OF
ACQUISITION

CITY OF
ACQUISITION

COUNTY

REG. NO. ~~260~~ 260

LIBRARY

U.C.

NAME OF LANDMARK

AUTHOR

TITLE

F 869

533143

VOLUME

NO.

PAGES 154-66

CITY OF

PUBLICATION

DATE OF _____

PUBLICATION 1871

Benjamin Rader.

10/14/19

10000

NAME OF LANDOWNER

ADDRESS

CITY

STATE

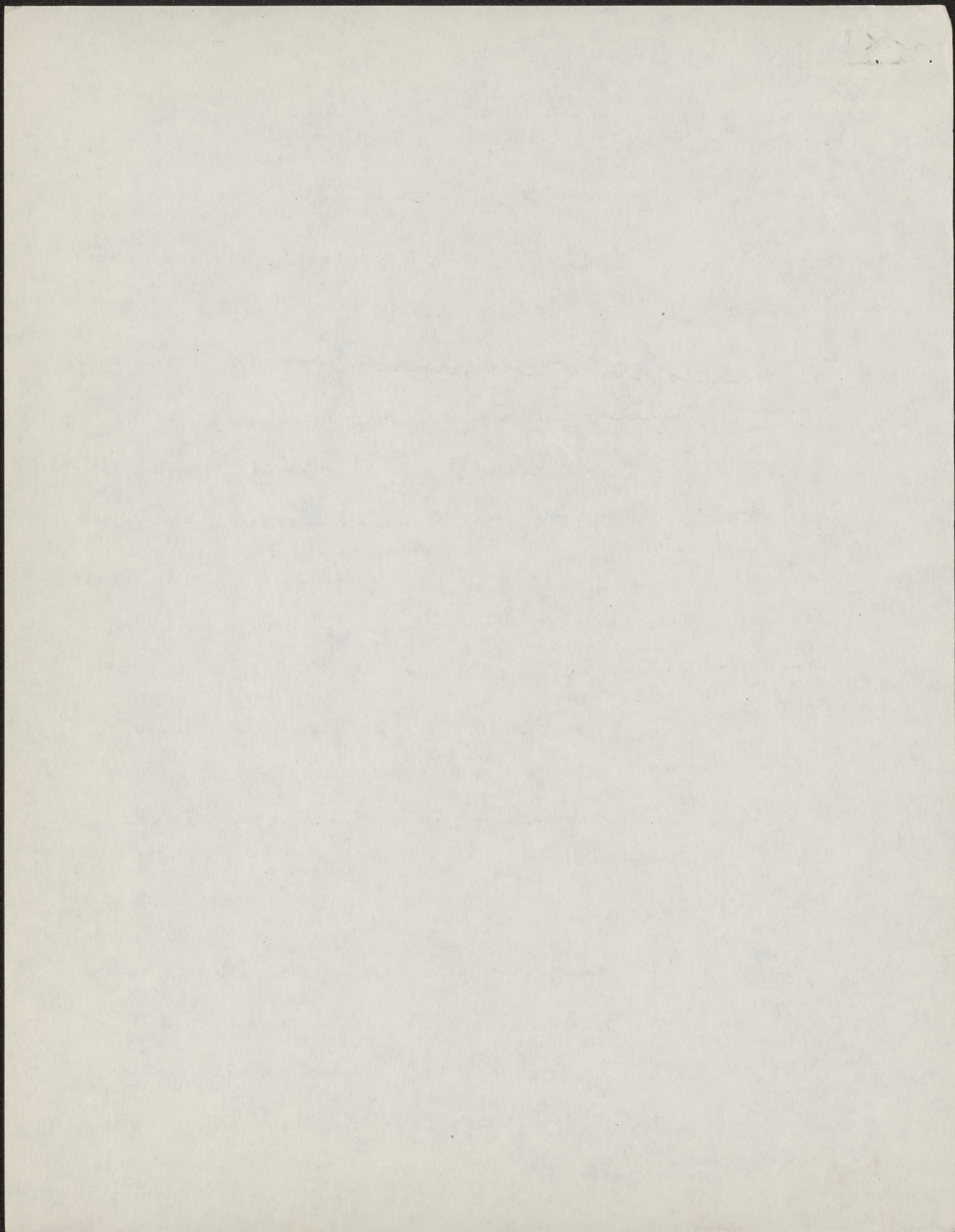
CITY OF

PARISH

SECTION

154. After Capt Haller had hoisted the U.S. flag at San Jose, ~~May~~ ^(x3) July 13, 1846, and had departed, Purser Watmough of the U.S. Sloop-of-war, "Portsmouth," came to the Pueblo with 35 marines. While there, several others joined his band. This was purportedly to punish some Indians who had committed several hostile acts in the valley. After meeting and defeating a band of 100 Indians, he & his command left in October 1846.

155 In this month, Commander Hull of the U.S. battleship "Warren," who was also commander of the northern District of Calif. commissioned Chas. M. Weber a captain, and John M. Murphy a Lieutenant, in the land service for the war. They raised a company of 33 men & established headquarters in ^{an} the adobe building on Santa Clara st in San Jose. This company acted as



scouts and scoured the country in every direction in pursuit of the enemy.

During this same month (Oct) several American families reached Sutter's Fort, and were visited by Capt. Swift with the view of increasing their forces. Some volunteered. Among them, one Jos Aram, whom Fremont commissioned Captain. Conditions were bad among the soldiers & their families in San Jose & Santa Clara mission. By February, 14 had died. The season was rainy.

15-6. Capt. Aram raised a troop of 35 men & made head quarters in Santa Clara so as to protect the families there, who had come from Sutter's Fort. He fortified the mission & barricaded the streets in anticipation of a Mexican attack. He had learned that Col. Sanchez was ranging at large with a large body of mounted and armed Californios - unwilling to surrender to the superior force of the U.S.

12-2

BR
156-

Capet, major of the U.S. Navy sent
Lieut. Pinkney of the Battleship "Savannah,"
to form a military post at San Jose to
protect the inhabitants - His force con-
sisted of 60 men.

He marched into San Jose and took
possession of the Juzgado (Court House), and
occupied it as a barracks a night a
sentinel stood on the San Felipe Bridge, and
a patrol of 7 men kept watch over the town.

157.

A fortress was thrown up around the Court-
house, and a ditch was dug, 2 ft deep + one
foot wide around the building some 60
feet away. In the ditch were driven sharp
stakes some 8 ft high. On the other side
of this breastwork a deeper ditch, 4 ft deep +
5 ft wide was dug, the dirt being thrown
up against the stakes, forming a natural
fortress - At each corner was a gate and
4 sentinels patrolled the walls -

The atmosphere was tense -

On Dec 8, 1846, Lieut. W. A. Bartlett of the sloop,
"Warren," and who was likewise acting
Alcalde of S.F. went out from that post

12

158 accompanied by 5 men to purchase Cattle for the U.S. Commissary. They went to the vicinity of what is known as the 17-mile House, + were in the act of gathering some cattle when Col. Sanchez + 30 men swooped down on them and captured them. They were bound + carried to a camp in the redwoods, and thence to quarters near the rancho of Jas. Pearce in San Mateo County.

Here Sanchez rec'd re-enforcements which increased his force to 100 strong. He also got hold of a brass 6 pounder cannon. He was ready for the Gringos!

Information reached San Jose that Sanchez was ranging between that place + S.F., that he had several prisoners and that he was capturing all Americans within his range.

Capt. Weber and his band, a considerably less number than that of the Mexicans) gave chase on Xmas day. However, Weber deemed conflict inadvisable, so he pushed on to S.F. without sighting the enemy and reported to Com. Hull.

On the 26th Sanchez advanced into the valley, traversed it in a southeasterly course

21

around S. F. Bay, and halted near the house of Jose Higuera, 10 miles north of San Jose, keeping his 6 prisoners with him. After 2 days rest he 159 ordered his men to mount & proceeded to San Jose. Knowing that Capt. Weber's force was not there, he hoped to capture the town.

He advanced with his force to the southwest of the town on the Almaden Road, stopped, and in the afternoon sent a note to Lieutenant Pinkney, telling him if he surrendered and left San Jose, they would be allowed to leave unmolested, but if they did not, he, Sanchez would attack immediately and capture them. He said he had 200 men (an exaggeration).

Pinkney read the dispatch to his men & offered to let any who were afraid go back to S.F. to their ships. The marines voted unanimously to stay & fight.

Pinkney said "By God, Sanchez shall never drive me out of here alive!"

That night, the guard was doubled. Soldiers slept on their muskets. But though Pinkney expected to be attacked momentarily by 160 a superior force, nothing happened.

112

160 - Sanchez was cautious - He was by no means sure of how many men ~~Sanchez~~ Pirkney had, and he knew the American soldiers to be resolute fighters - He rode around the fort in the night, and decided that prudence was the better part of valor - He withdrew, and camped next day 5 miles north of Santa Clara Mission -

A Mr. J. A. Forbes, Acting British Consul, knowing many of Sanchez's Californians, and having a brother-in-law, one Galindo, among them, paid a visit to their camp, carrying the English Colors in his hand. He tried to convince Sanchez of the hopelessness of his Cause and begged him to surrender, but Sanchez scornfully refused - He finally agreed, however, that Lieut. Bartlett might remain with Forbes, if the latter would not turn him over to the American forces - ~~Forbes~~ ^{Bartlett}, who was in a blue funk, was overjoyed at this arrangement.

It seems that Sanchez had a special grudge against Weber, who had belonged to Sanchez's California forces before the outbreak of the war between the States

15

and Mexico, and he expressed his willingness to surrender all 6 of the American prisoners if the American Commander would deliver ^{161.} Weber to him. Forbes agreed to present this proposition to the Commandant at S. F., Lieut. Bartlett remained in Forbes' home ^{in Santa Clara} for a few days only. He wrote his wife that he never expected to see her again.

Soon the Commander at S. F. answered Forbes' letter, and said that if the surrender of Bartlett depended on the delivery of Weber to Sanchez, he could return Bartlett to Sanchez, which Forbes did.

Bartlett was completely demoralized - He cried like a baby when he was sent back to the enemy's quarters - [This same Bartlett was the father of the bride who married a rich Cuban in the late sixties, the ceremony of whom was called: "The Diamond Wedding!"]

Meanwhile the American forces at S. F. were not idle, but had made preparations to meet Sanchez wherever he might be found. This small army was placed under the

BR 1

Command on Capt. Ward Marston, U. S. Marine Corps of the frigate "Savannah."

His force consisted of the following:

Asst. Surgeon J. Orwall, Aid-de-camp.

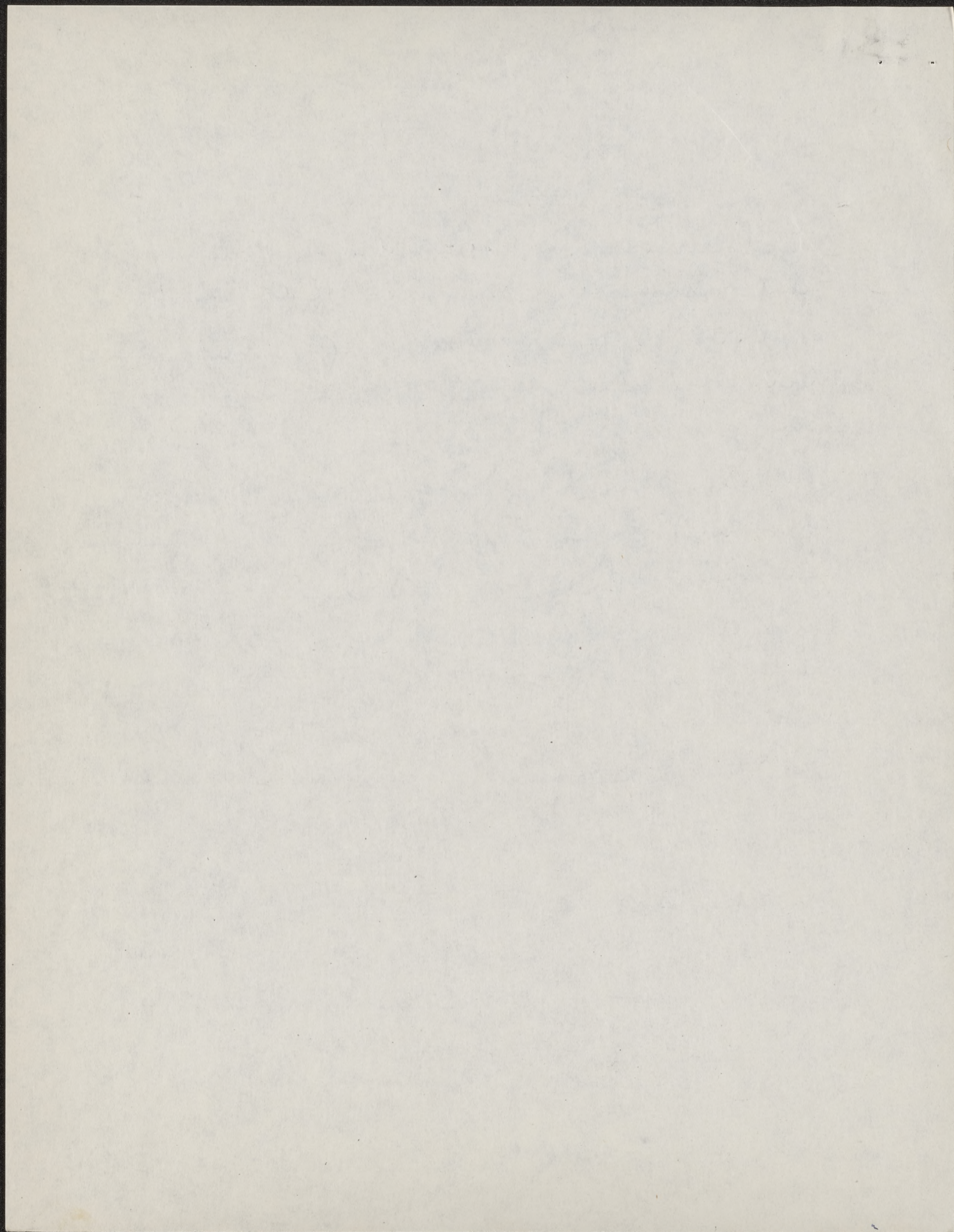
161
162 One detachment of marines under Lieut. Robt. Tausil, 34 men; Artillery; one field piece, six pounder, under charge of William F. D. Gough, assisted by midshipman John Kell; 10 men and the interpreter, John Pray; a mounted company of San Jose volunteers under Capt Chas M. Weber, Lieut. John M. Murphy and acting Lieutenant, John Reed, 33 men; A mounted company of Yerba Buena volunteers under command of Capt Wm. M. Smith; ^{and a} Lieut. John Rose also had a small detachment under Capt. J. Martin, of 12 men. All in all 101 men.

They moved South on the 29th day of December, 1846, and on the morning of the 2nd of January, 1847, came in sight of the enemy.

Sanchez was not taken by surprise. He

⊗ This Reed was one of the famous Donner Party.

12
33
10
2
34
1
92



BR1

-9

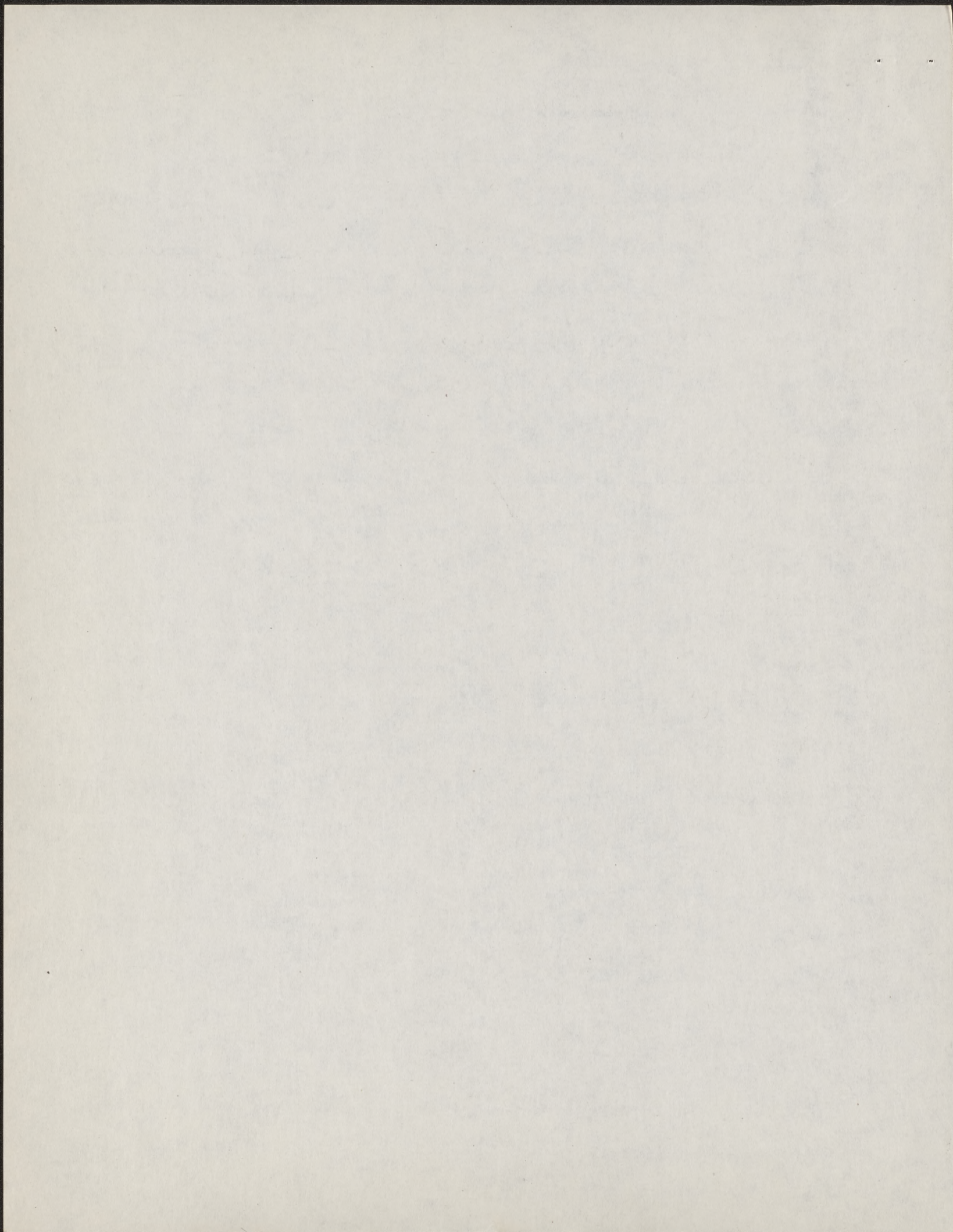
had heard of the Gungo's approach.

He sent the 6 prisoners off into the mountains with a strong guard - they went about 2 miles and stopped - waiting for results of the battle.

At 10 o'clock the battle began. The Americans opened fire at 200 yards. The first few volleys broke the Mexican lines in two. Sanchez retreated, but orderly with each half of his split seeking opportunity to flank the Americans - alternately stopping to attack at the front and on the flank. For 3 hours, this running battle continued. #

Lieut. Pinkney heard the guns from his fort at San Jose and made ready for a long conflict. He stood at the head of his men anxiously awaiting news of the conflict. He thought, if Sanchez should win, he will attack us here at the Pueblo next. And thinking that Sanchez's army outnumbered the Americans, he fully expected him to win. Deeming it hazardous to abandon the fort & join the fighting, therefore he remained in fighting order to hold and protect the town.

On top of the church & other tall buildings, people were watching the "Battle of the Mustard stalks," as it was later called.



163. Among the gamest of the citizens of the beleaguered town, was a Mrs. Bennett. As she watched the battle, her language, though picturesque, was such that it belonged rather to the battlefield than the parlor. She intimated that the Americans had no more pluck than they should have and hinted that the reason why the soldiers at the fort did not join in the fray was not because they wished to stay to defend the town -

When Sanchez, in his retreat, moved near the mission, Capt. Aram, sallied out with his company and engaged the enemy on his right wing. This checked his movement on the settlement and caused him to draw off, unwilling to renew the encounter.

164

Sanchez now turned and retreated toward the Santa Cruz mountains, and soon thereafter sent an envoy bearing a flag of truce, telling he would surrender ^{under} ~~upon~~ certain conditions.

Marsden answered that the surrender must be unconditional. Sanchez replied that he would die first; but that was only a gesture of bravado.. At last an armistice was effected, so that a courier might be sent to S. F. asking upon what

91

B.R.

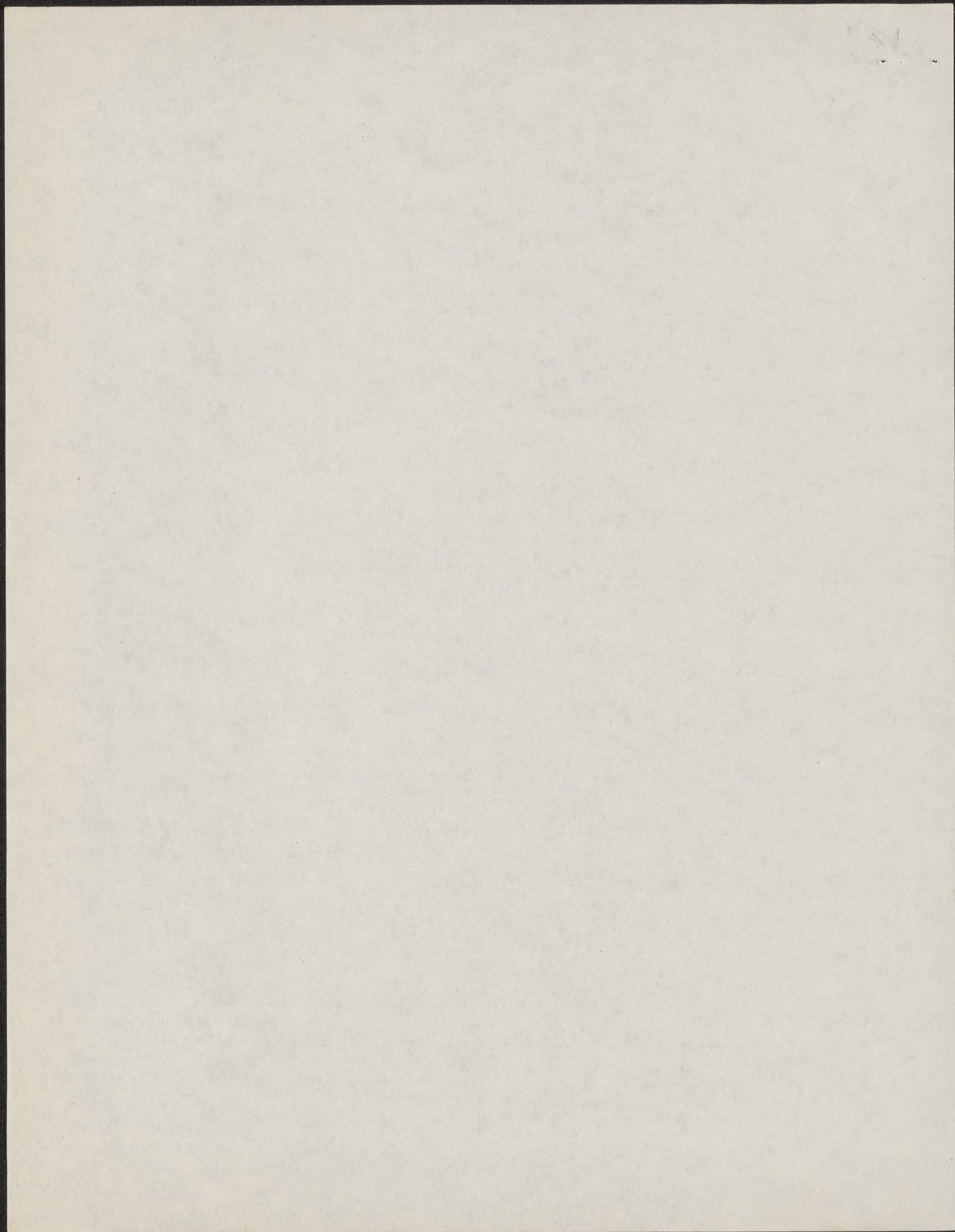
- 11

terms a surrender would be accepted, a courier was also despatched to Genl. Pinkney relieving him of his suspense.

The American soldiers repaired to Santa Clara mission, where they were cheered + fed by the ladies.

165 Meanwhile Capt. Maddox + 59 marines were moving up from the direction of Santa Cruz to attack Sanchez in the South. Sanchez heard of their approach and requested Capt. Aram to go meet them and notify them of the armistice. This was done and the marines expressed sorrow that they were deprived of a chance at the enemy.

Jan 6. 1847, a dispatch rider arrived from S. F. He brought word that no other terms but unconditional surrender would be accepted. He forwarded a copy of these orders to Col. Sanchez, who came

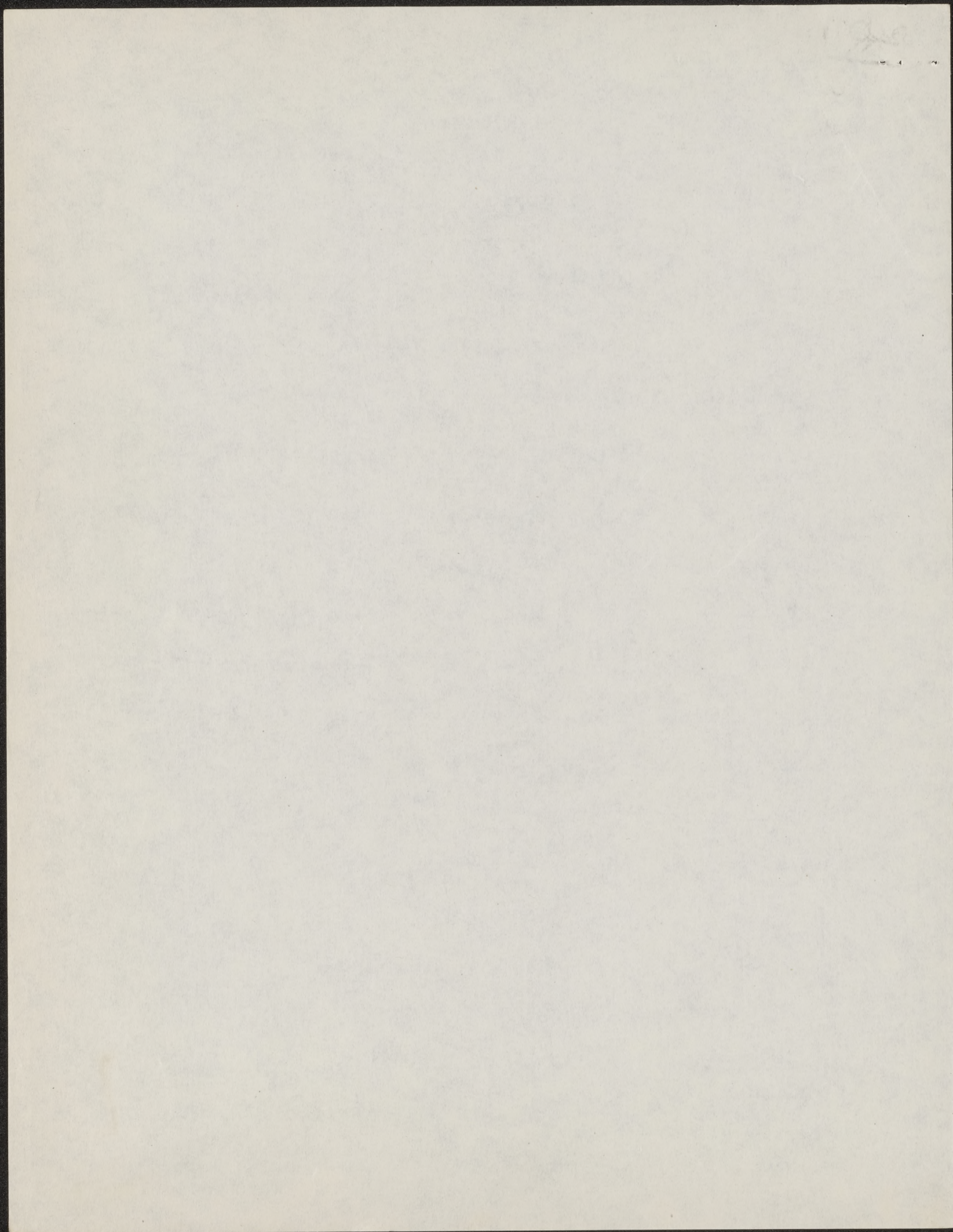


in the following day; whereupon, the terms of surrender were agreed upon in accordance with orders from headquarters.

On the 7th, another detachment of 15 men arrived under command of Lieut. Gayson, who was to receive Sanchez's official surrender.

On the 8th of January, 1847, Sanchez surrendered his whole force, together with Lieut. Bartlett + the five other American prisoners. He also surrendered his brass cannon, rifles, ammunition and other equipage of war. The Mexican soldiers were allowed to go to their homes, but Sanchez was taken to S. F. and held a prisoner a short time on board the U.S. destroyer, "Savannah."

The Californians are said to have lost four soldiers in this battle, besides five more who were wounded. The Americans lost none, but two were wounded. Jackson Bennett of Capt. Weber's Company was shot



in the fort and one of the ^{Robert Heaney} marines in the
lead. The latter fell near Lieut. Murphy, and
was thought to be dead, but the ball only
grazed his head and he soon recovered.

This ended the warfare between the Mex-
ican and American forces in the northern
part of Alta Calif.

If the native Californians look upon Jan
2, as the anniversary of their humiliation,
they may soften the asperity of their
mortification by reflecting that it was
upon that day, in 1492, - that King Ferdinand
of Spain made the proud Moorish King,
Abdullah, sue for peace.

COUNTY Santa Clara REG. NO. 260

LIBRARY

u.c.

NAME OF LANDMARK Armistice Oak Tree Site

F 868

AUTHOR Hoover, Mildred Brooks,

H15H6

TITLE Historic Spots in Calif. - Counties of
the Coast Range

VOLUME _____ NO. _____ PAGES 521 - 400 - 401.

CITY OF
PUBLICATION Palo Alto

DATE OF
PUBLICATION 1937.

Sanj Radu

LIBRARY		COUNTY	
DATE ACQ.		NAME OF LAMINATOR	
		AUTHOR	
		TITLE	
PAGES		VOLUME	
NO.		CITY OF	
DATE OF		ACQUISITION	
COLLECTION			

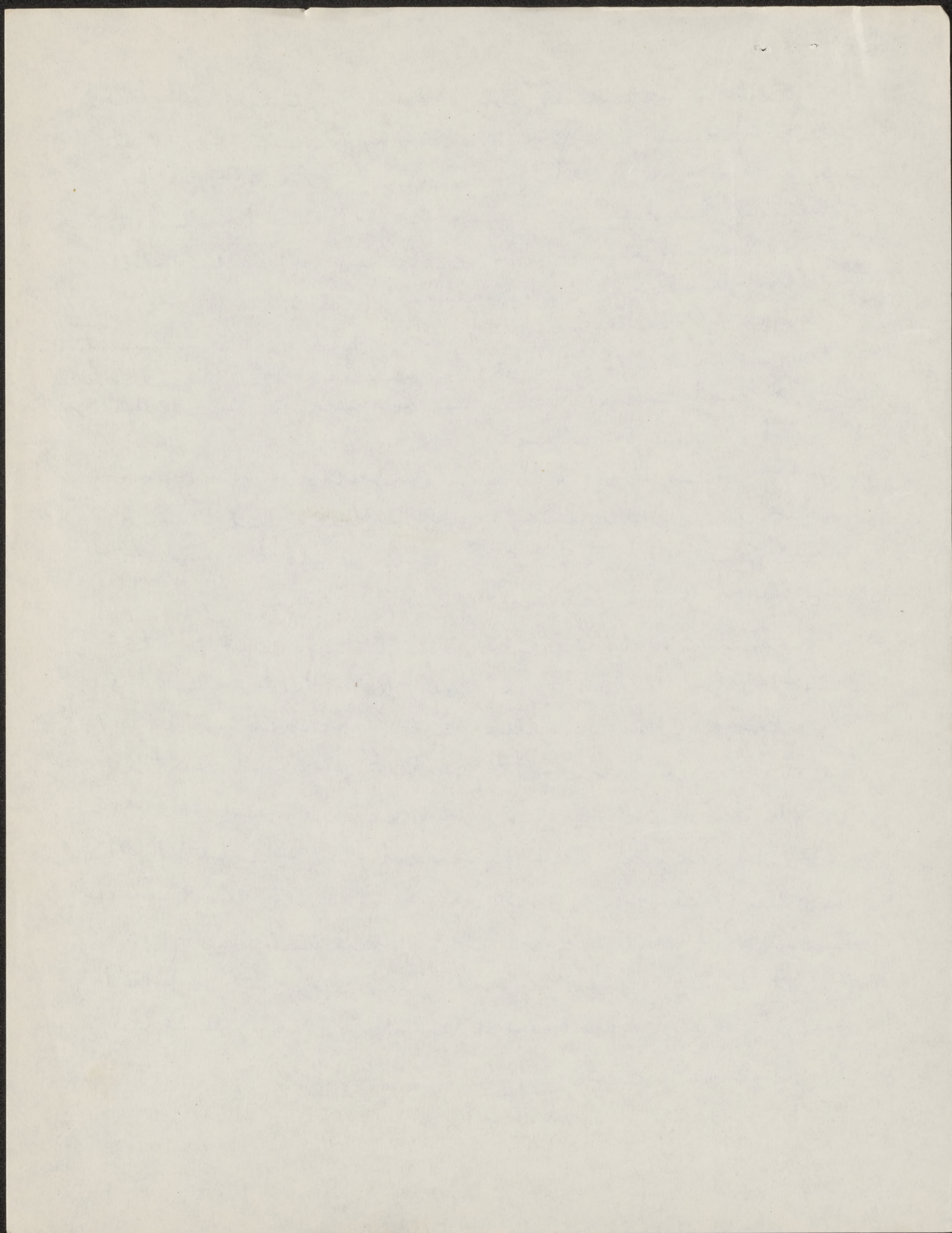
Francisco Sanchez, son of Jose Antonio Sanchez was a native of Tepic, Mexico + came to Calif at the age of 23. As a member of the S. F. Co. he attained the rank of Captain + finally that of acting commandante (a rank he kept until after the American occupancy).

In 1846, he became so annoyed at the depredations of the Americans that he headed the short lived revolt that began when he kidnaped Lieut. Bartlett + held him hostage.

His wife was Teodora Higuera + his four children were Luisa, Luis, Dolores, and Pedro. Kindhearted + genial, he was still living at Mission Dolores in S. F. in 1855.

Rancho San Pedro, reaching east to the Crest of the hills and south to the crest of the Montara was granted to Francisco in 1839 by the Mexican Govt, but it wasn't until 1870 that a patent was issued by the U. S.

for the land. An ancient adobe still stands on this rancho, and it was built by Francisco Sanchez in 1842 on the foundations of one that was built much earlier. It is still used as a residence, and is still called "El Viejo de Sanchez."

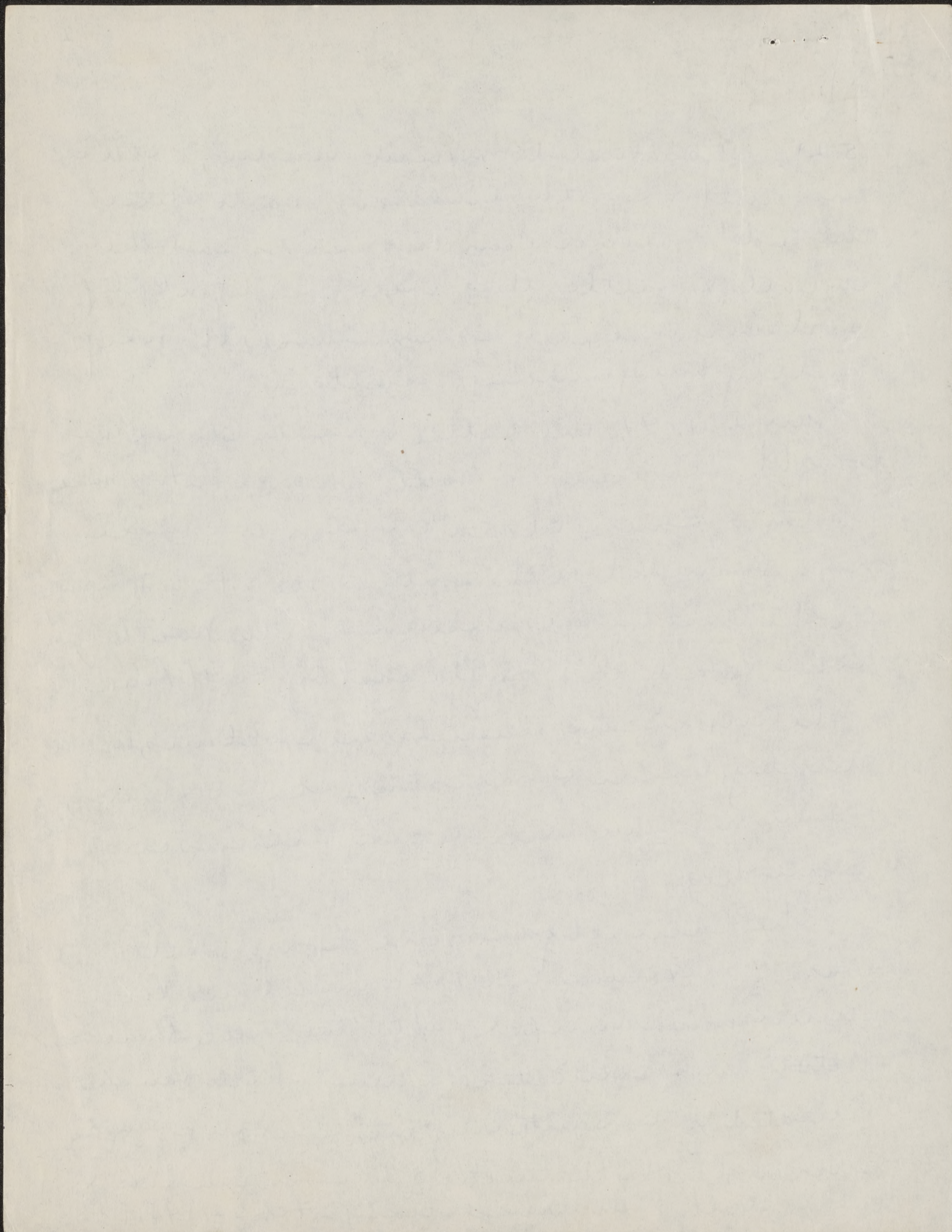


P 521. Dissatisfied Mexican leaders, both in the north & South endeavored to stem the tide of American invasion, and the so-called battles that were fought on Calif-soil were merely skirmishes with only mildly sanguinary results -

Jan 2, 1847, the Battle of Santa Clara was fought. The arena of battle was about 4 miles north of Santa Clara mission at a place now bounded on the south by the S. F. S. J. highway, on the West by Lawrence Road, on the South by Kifer Road and on the east by Scott Lane -

The American leaders were Captains, Weber, Murphy, Adams & Marston - The Mexicans, 100 in number were led by Francisco Sanchez.

The Casualties for one day's battle were 4 Mexicans killed & 4 wounded, and two Americans wounded. After the battle there was a ~~five~~ ^{five} day's armistice, during which Sanchez retreated to the Santa Cruz mts. On Jan 8. Sanchez surrendered & the theatre of war was transferred to the south - Gadsden Treaty - Feb 2 - 1848.



COUNTY Santa Clara

REG. NO.

260

LIBRARY

NAME OF LANDMARK Armistice Oak Tree SiteAUTHOR M. N. O. in Century Magazine,TITLE Resume of Fremont's ExpeditionsNov 1890 - Apr. 1891. N. S. Vol. 19. (March '91)

VOLUME

41

NO.

PAGES

759-66.CITY OF
PUBLICATIONNew York

DATE OF

PUBLICATION

1891.Per. Stack.
N.S. Vol. 19.

X

P 762. The 3^d and last Gov't expedition of Fremont set out in the fall of 1845. Its object was to follow up the Arkansas River to its source in the Rocky Mts, to complete the exploration of the Great Salt Lake, and to extend the survey westward to the Cascades and the Sierra Nevada, in order to ascertain the best route by which to reach the Pacific Coast in this latitude.

Matters were in a very unsettled condition; the Mexican War was impending, and trouble was brewing over our possessions in the Southwest.

- - - (a brief account of the journey is given)

Great hardships were endured before the party (now divided) reached Sutter's Fort, where fresh horses + supplies were found.

(The trouble with Castor & the "Bear Flag" episode

LIBRARY

ISS. NO.

COUNTY

NAME OF AUTHOR

EDITOR

TITLE

PAGES

NO.

VOLUME

DATE OF

CITY OF

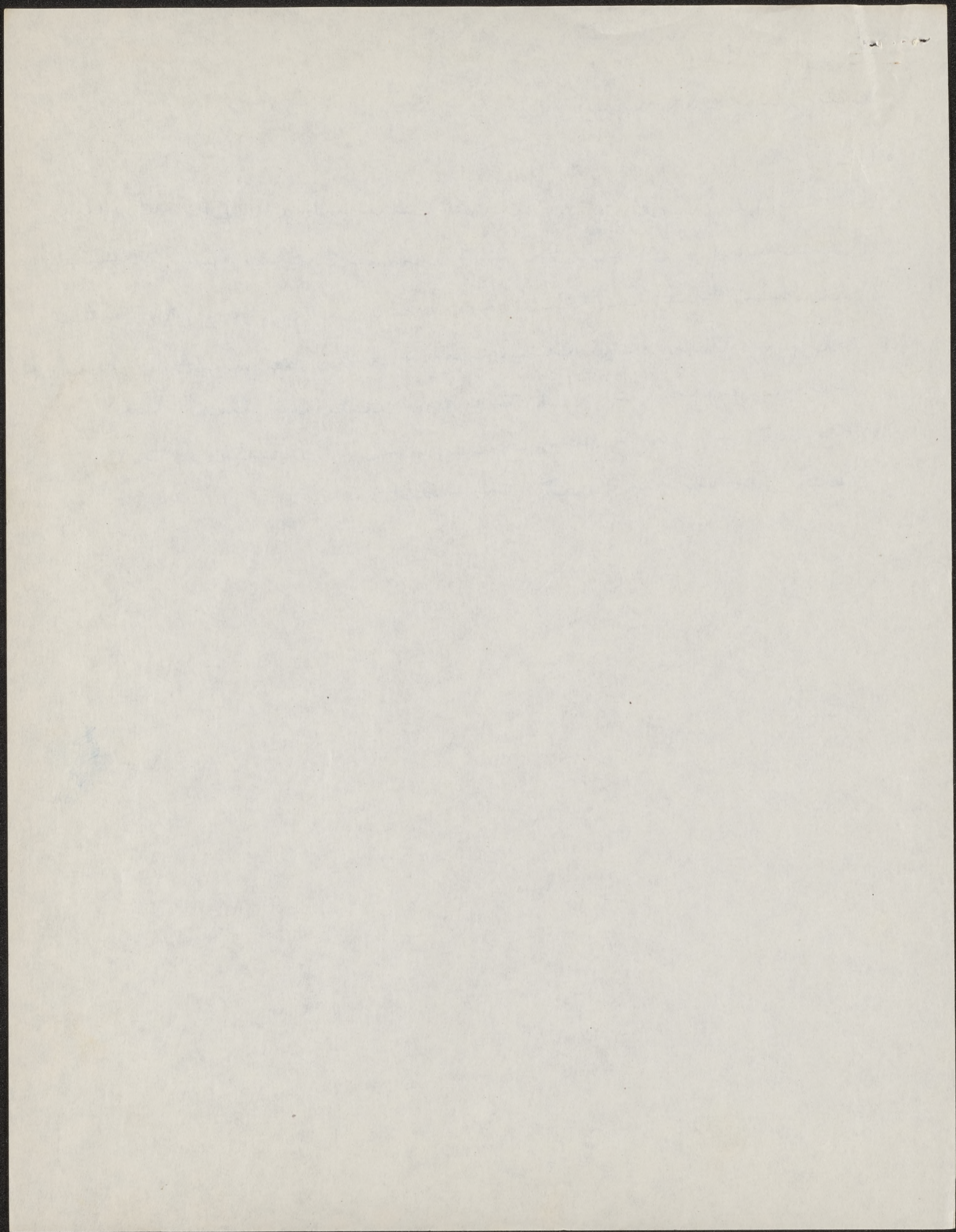
PUBLICATION

PUBLICATION

are glossed over.)

764.

A difference of opinion caused a rift between Kearney + Stockton, + Fremont elected to serve under the latter - He was later court-martialled for this by Kearney, + was acquitted - Fremont was so enraged at the proceedings that he threw up his commission - So ended the last Government Expedition -



COUNTY	<u>Santa Clara</u>	REG. NO.	<u>#260</u>	LIBRARY	<u>U.C.</u>
NAME OF LANDMARK	<u>Armistice Oak Tree Site</u>			<u>E415</u>	✓
AUTHOR	<u>Wheeler, Allan</u>			<u>F8N5</u>	
TITLE	<u>Fremont, the West's Greatest Ad- venturer</u>				X
VOLUME	<u>1</u>	NO.		PAGES	<u>290-2, 297-8, 304-6. 235, 248, 261, 274, 286</u>
CITY OF PUBLICATION	<u>New York & London</u>			DATE OF PUBLICATION	<u>1928</u>

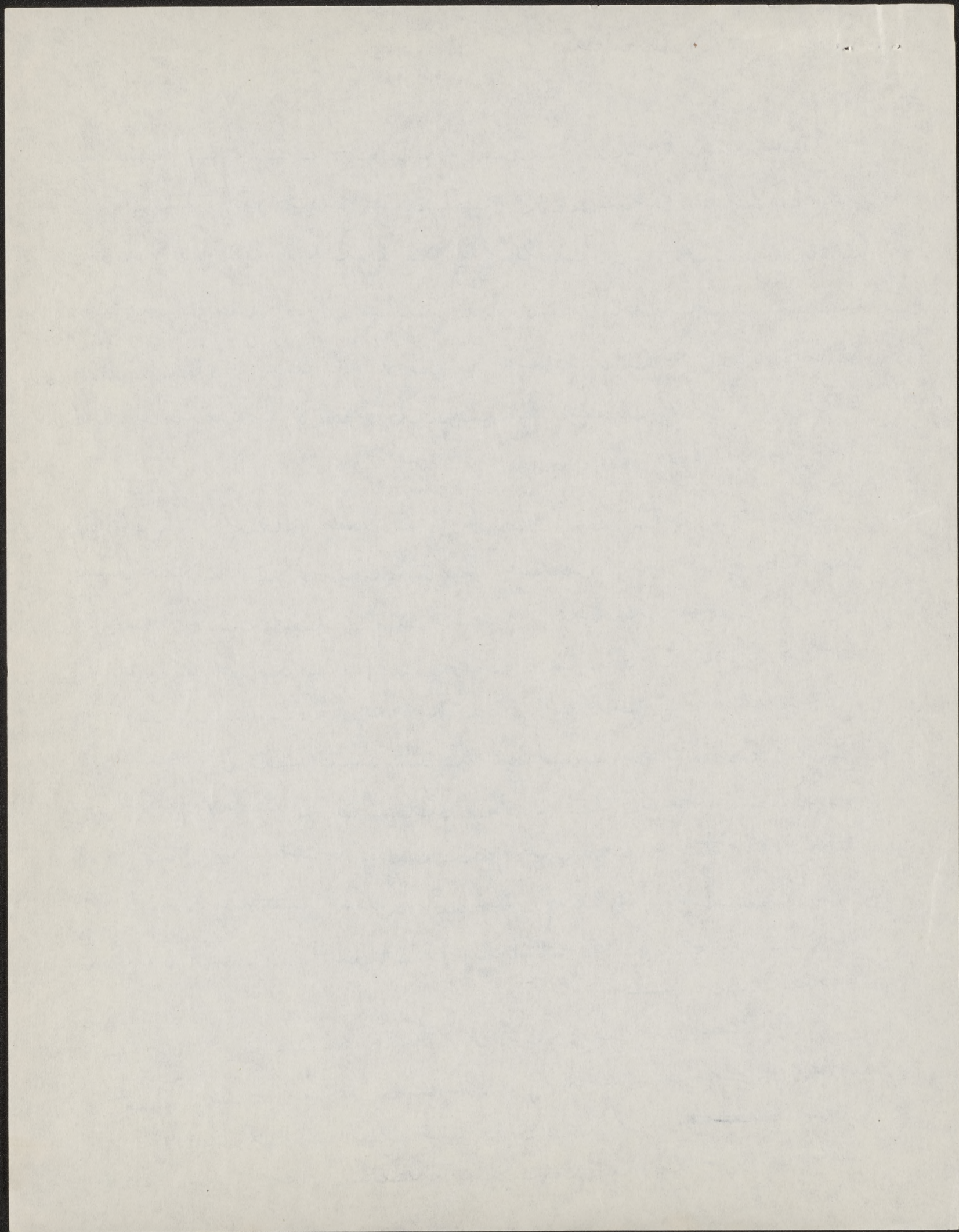
- 235 - Says that Fremont was sent to California ostensibly on a topographical exploration trip, but the "eventualities of war were taken into consideration."
- 248 - Fremont arrived at Sutter's Fort on his 3d expedition on Dec. 9, 1845.
- 261 - Fremont joined Walker's men in the middle of February 1846, at San Jose. —
- 262 - Wheeler also blames Fremont for going South instead of North in March 3, 1846. Says Fremont unquestionably did wrong in defying Castro's order to evacuate.
- 274 - Denies that Gillespie's dispatches carried news of the declaration of war to Fremont. (This seems illogical, for Gillespie left Monterey after Apr. 17, 1846, before war was officially declared.)
- 286 - May 24, 1846 - Fremont again back at Sutter's Fort.

250-1-

Fremont has been extravagantly praised and also blamed for his part in the Conquest of Calif. On one hand, he has been depicted as the gallant officer whose prompt + fearless action in an international crisis, against fearful odds, conquered the region for the U.S.

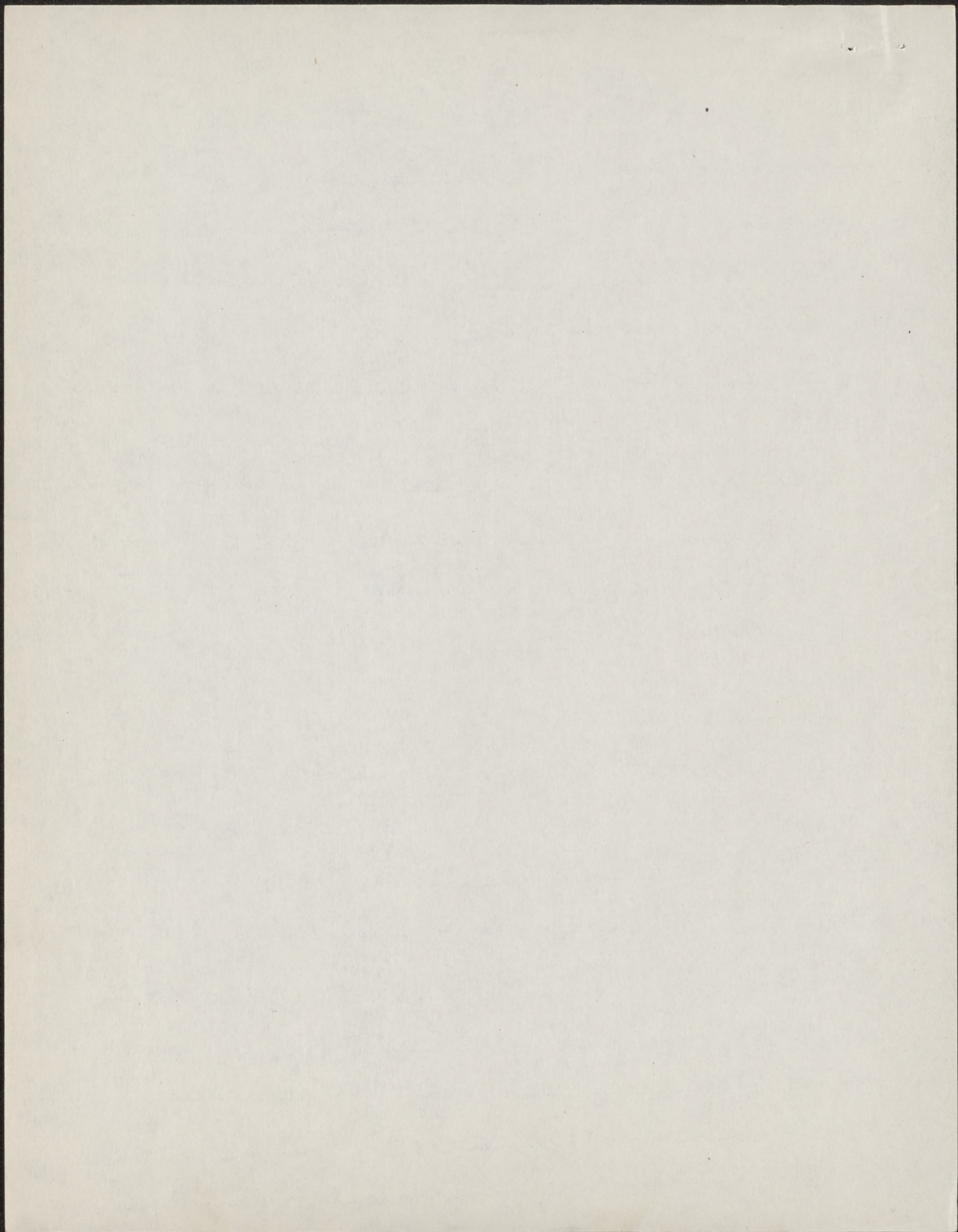
On the other hand he has been harshly criticized by many historians as a selfish + irresponsible mischief-maker, a man who led a brutal assault against an un-offending people, and whose schemes of selfish aggrandizement inflicted grave injury upon the inhabitants of California, while they placed an ugly blot on the American flag. Some of his critics treat him with a hostility that is almost venomous. — — —

A calm review of the events of 1846 will convince us, however, that Fremont was ~~neither~~ neither a plaster saint nor a selfish + abandoned villain. He was cast



by fate to play an important role in the acquisition of Calif, but so were others. He played his part with impetuosity and dash, it is true - That was his usual way of acting, but according to his lights, he played it well - Let us remember when we are criticizing Fremont that he was an officer in the U.S. Army, and as such was bound to act in what, in his opinion, was for the best interests of his Country - Granted, he made mistakes - most of us do -

In making his decisions, he had to keep in mind: the attitude of the Mexican officials in Calif, the supposed menace of British action, the temper of American settlers, the position of 20,000 Indians, and the instructions, official and otherwise, of the Navy, State and War Department. And we must also remember that one element in this confusing muddle is, and always will be, unknown: The verbal instructions



given Fremont by Senator Benton and the unwritten wishes of the members of Congress in Polk's Administration.

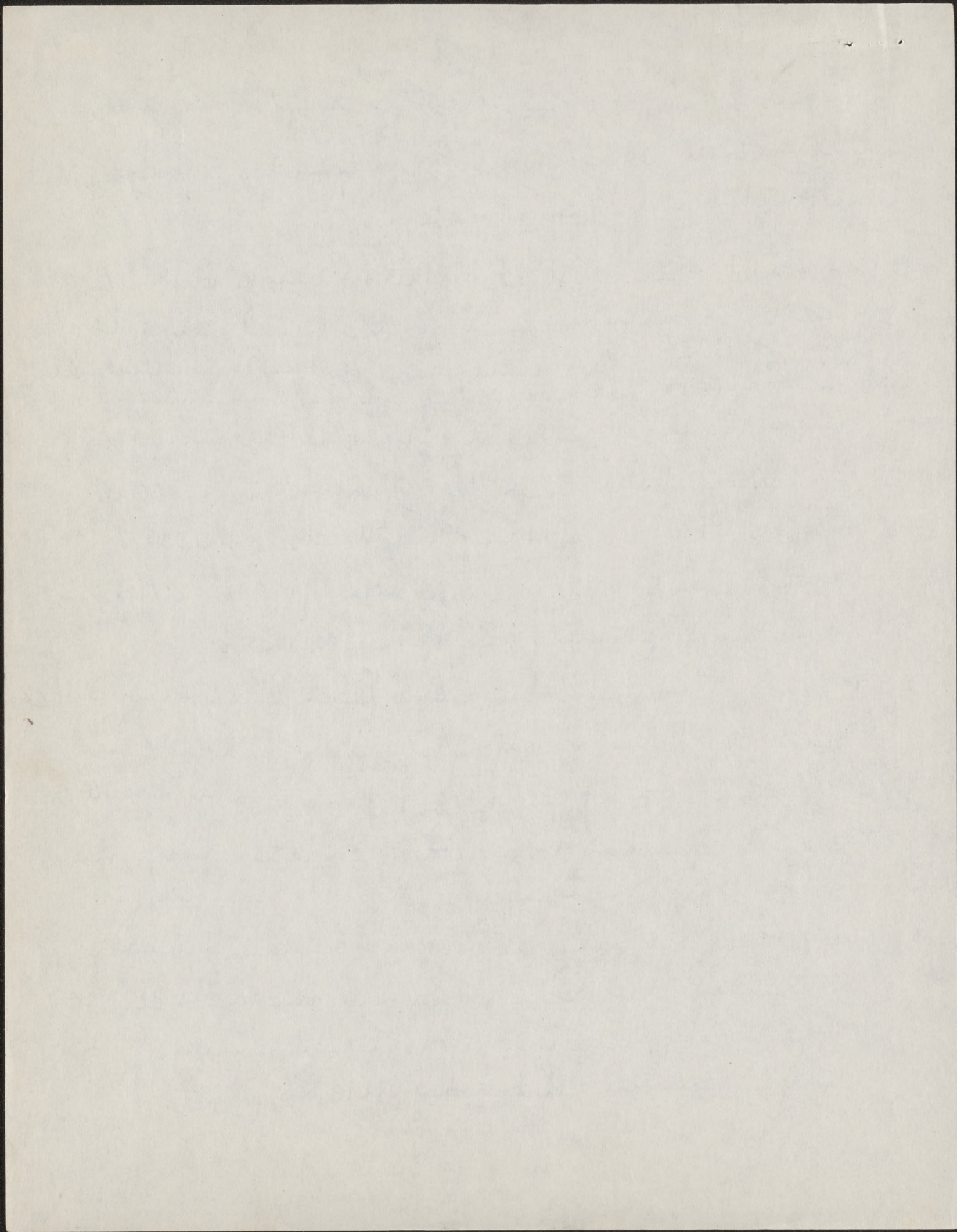
290. That Fremont at Sutter's Camp the latter part of May, heard for the first time the ~~news~~ rumors of the Mexican War, that had been declared May 12 - 1846 - but there was no official confirmation.

292. A tension already existed between the Californios and the American settlers before the Bear Flag incident. Rumors that Castro intended driving the settlers out had persisted for over a year.

297-8 Says Fremont did not lead Bear Flag revolt but that he may have advised Idell.

This is wrong 304. Admits that Fremont, by his own statement, ordered Merritt to capture Sonoma & Vallejo, & Jacob Leese. (Fremont's memoirs, 523.

306. Wm Lodd, nephew of Mrs Abraham Lincoln, painted the Bear flag. The Mexicans called it the Shivat, believing it to be a drawing of a pig. (Bidwell - Cent. mag Vol 19. N.S. 521. ff.



COUNTY <u>Santa Clara</u>	REG. NO. <u>*266</u>	LIBRARY <u>W.C.</u> ✓
NAME OF LANDMARK <u>Armistice Oak Tree Site</u>		F 592
AUTHOR <u>Peters, Dewitt C</u>		C 3 P 4
TITLE <u>Kit Carson's Life and Adventures.</u>		1874 X
VOLUME _____	NO. _____	PAGES <u>255, 274-5.</u>
CITY OF PUBLICATION <u>Hartford, Conn.</u>	DATE OF PUBLICATION <u>1873</u>	

255- Says definitely that Gillespie brought Fremont news of the declaration of war between U.S. and Mexico.

274- Says that Fremont, in his camp near Sutter's Fort, thought that, in all probability, war had commenced, and decided to take the responsibility of sending a small detachment to take Sonoma.

About this time Fremont received news that open hostilities had begun so he joined his detachment at Sonoma.

275- makes no mention of captured Mexican youths in battle with de la Torre, that Kit Carson is supposed to have killed.

[Entire Book very vague and the author indulges in a great many generalities; and almost never gives a date.]

LIBRARY

ON . 955

YIN000

1000-0000

1000-0000

1000-0000

1000-0000

1000-0000

1000-0000

1000-0000

1000-0000

1000-0000

1000-0000

COUNTY Santa ClaraREG. NO. *260

LIBRARY

u. of C.

NAME OF LANDMARK Armistice Tree Site

F 865

AUTHOR Royce, Josiah

R 8

TITLE California: from the conquest of 1846to the second vigilance Committee of San Francisco. X

VOLUME

NO.

PAGES 43-4,CITY OF
PUBLICATIONBoston

DATE OF

PUBLICATION

1886

STATE

COUNTY

NAME OF LANDMAN

AUTHOR

TITLE

NO

DATE OF

NOTIFICATION

DATE OF

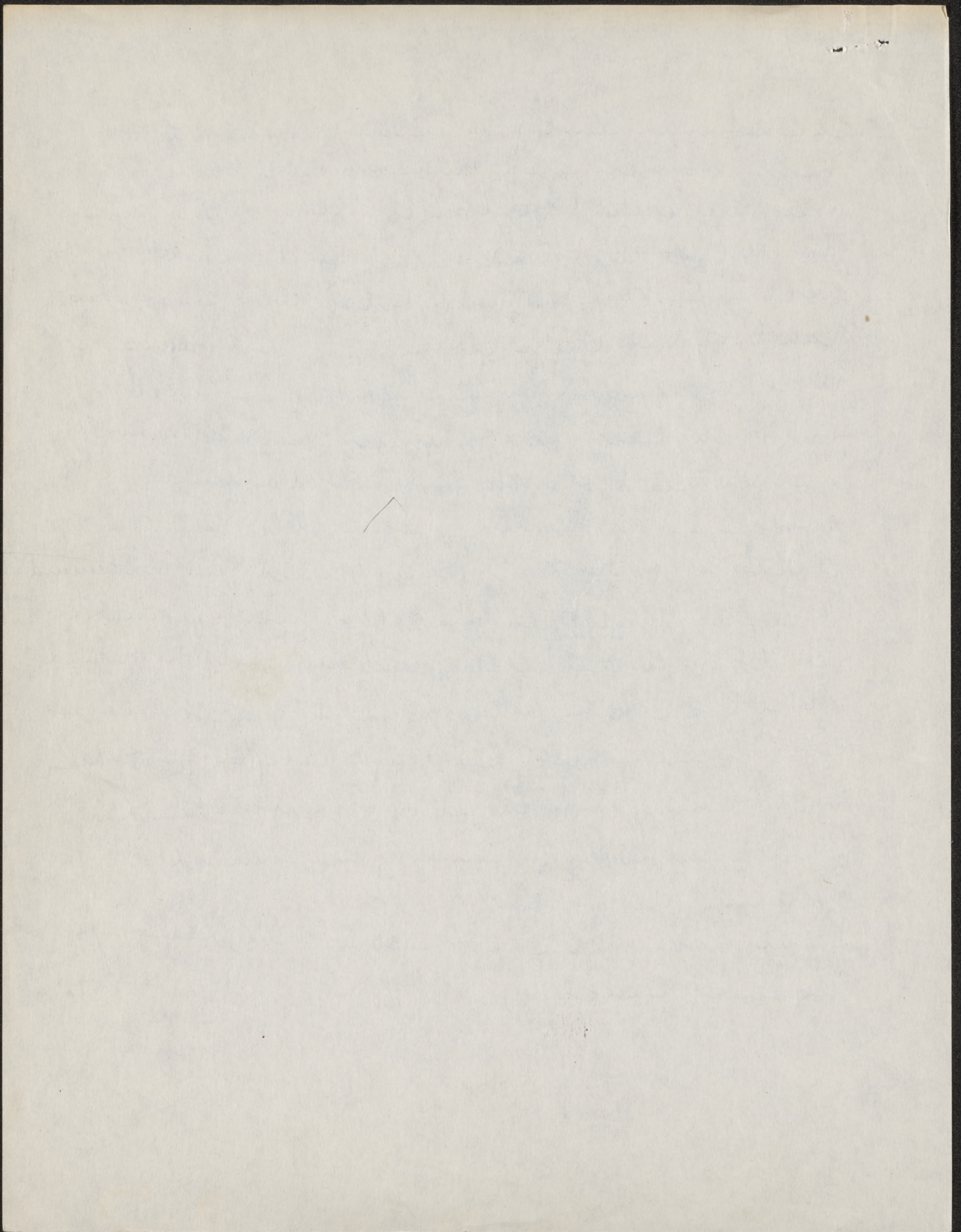
NOTIFICATION

NOTIFICATION

NOTIFICATION

Royce-

43. The Donner party consisted of some 80 men, women, and children. On the way they were belated by the difficulties of the new
44. route that they had taken, by the south of Salt Lake. On the Humboldt River provisions ran low, and their gloom and forebodings were increased by an affray in which one of the best men, a young married man named Reed, struck and killed a young companion during a squabble over the delay of a wagon. He was tried, and condemned to exile, despite the fact that his wife and child were travelling with him, and he owned more than many others of stock and provisions. He actually made his way to Calif. on foot ahead of the train, secured relief & supplies and saved the lives of many of his comrades by meeting the party.
- (This same man took part in Weber's campaign against Sanchez.)



COUNTY <u>Santa Clara</u>	REG. NO. <u>#260</u>	LIBRARY <u>u.c.</u>
NAME OF LANDMARK <u>Amistice Oak Tree Site,</u>		N.S. 19 -
AUTHOR <u>Royce, Josiah</u>		Per Stack.
TITLE <u>California, in Century (March 1891)</u>		X
N.S. 19 - (1890-91)		
VOLUME <u>41-</u>	NO. <u>19, N.S.</u>	PAGES <u>180-3. 765-70</u>
CITY OF PUBLICATION <u>New York.</u>	DATE OF PUBLICATION <u>1891</u>	

Montgomery defended Fremont to Castro, who on June 17, 1846, wrote from Santa Clara, demanding that the commander explain Fremont's conduct. Castro pointed out that the captain, "without the formalities established among civilized nations", had invaded the country & seized Sonoma.

Montgomery replied (June 18) that Fremont, neither on authority of the U.S. Govt or otherwise had anything to do with the actions of the settlers of the Bear Flag episode.

June 28, Montgomery notes in his diary that he was embarrassed by a visit from Gillespie who informed him that Fremont had openly espoused the cause of the Bear Flag Republic!

LIBRARY

REG. NO.

COUNTY

NAME OF LANDMARK

AUTHOR

TITLE

PAGES

NO.

VOLUME

DATE OF

ACQUISITION

CITY OF

ACQUISITION

COUNTY	<u>Santa Clara</u>	REG. NO.	<u>* 260</u>	LIBRARY	<input checked="" type="checkbox"/>
NAME OF LANDMARK	<u>Armistice Oak Tree Site.</u>			U.C.	
AUTHOR	<u>Sabin, Edwin L.</u>			F 592	
TITLE	<u>Kit Carson Days, (1809-1868.)</u>			C 382.	
VOLUME		NO.			<input checked="" type="checkbox"/>
			PAGES	<u>246-7</u>	
CITY OF PUBLICATION	<u>Chicago</u>			DATE OF PUBLICATION	<u>1914.</u>

246-7, Says Fremont got permission to obtain supplies + proceed straight to Oregon. Instead of doing this he resumed his course to the South; and that Castro had every right to order him to leave, especially as he (Castro) had recently received advice from Mexico that Fremont was not to be admitted into the Monterey District upon any account.

Says Fremont was as much a freebooter as was Sir Francis Drake.

Says Fremont fortified Gavilan Peak on the 6th of April, 1846 - [Undoubtedly an error, as it was March 5 that Fremont got his orders to leave California - Probably the author meant March 6th]

An interesting book, not unduly concerned about facts.

STATE OF NEW YORK
COUNTY OF _____
IN SENATE
JANUARY 1, 1901
REPORT OF THE
COMMISSIONERS OF THE LAND OFFICE
IN RESPONSE TO A RESOLUTION PASSED BY THE SENATE
MAY 1, 1899
ALBANY: J.B. LANE, PRINTER.
1901.

COUNTY Santa Clara

REG. NO. *260

LIBRARY

NAME OF LANDMARK Amnistic Oak Tree Site

U.C.

AUTHOR Schmitt, Dorothy L.

308t

5355

TITLE The Santa Clara Valley, 1846-65.

- a thesis for M.A. Degree

VOLUME

NO.

PAGES 1-6, 7-15

CITY OF
PUBLICATION

Berkeley

DATE OF

PUBLICATION 1928.

Benjamin Rader.

LIBRARY

REF. NO.

COUNTY

NAME OF LAWYER

AUTHOR

TITLE

PAGES

NO.

VOLUME

DATE OF

CITY OF

PUBLICATION

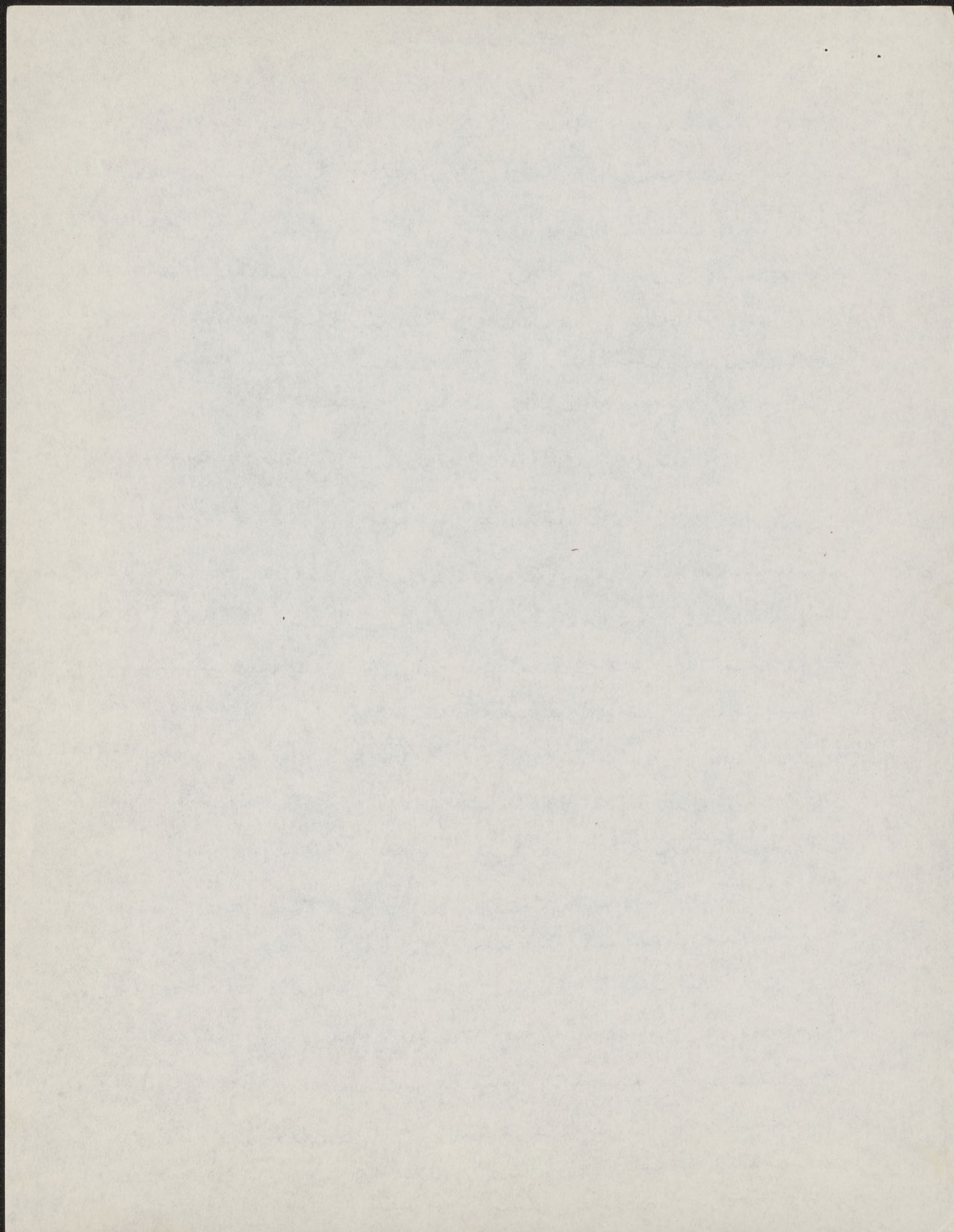
PUBLICATION

P 7. For several years the Californians had been imbued with the spirit of independence, but the idea had never lent itself to action. However most of the old Calif families desired to stay with Mexico - Only the newcomers and certain discontented elements were anxious for an open break with Mexico.

On June 14, 1846, came the "Bear Flag Revolt."

P 8 People in the Santa Clara Valley were much impressed with this action. General Castro of the Mexican Army of Calif in Santa Clara Co, feared a similar occurrence here - He immediately issued a proclamation to all foreigners, assuring them of absolute protection, "whilst they refrained from all revolutionary movements." (Bryan, Edwin, "What I saw in Calif." P 294.)

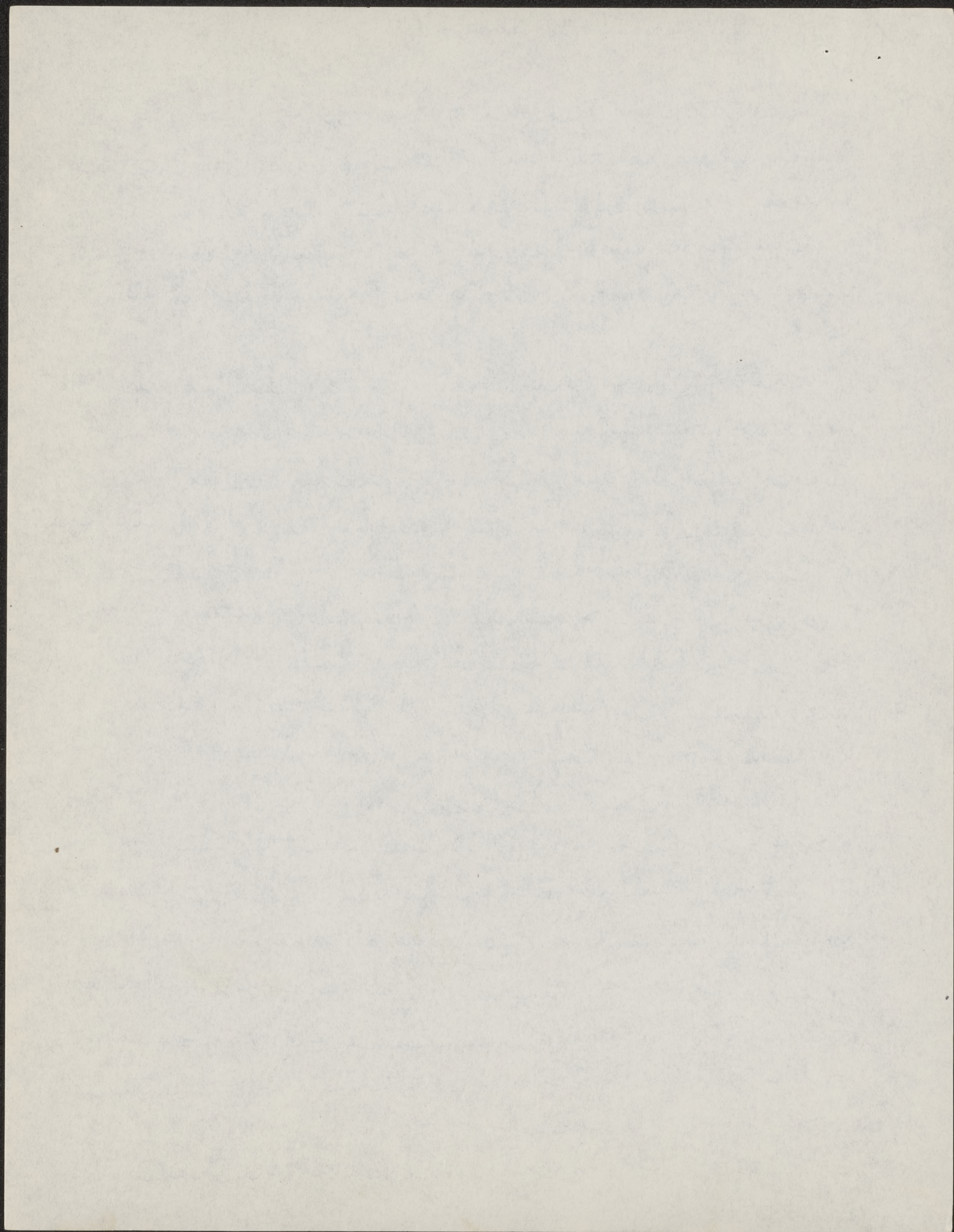
Castro tried to raise a force to go across the bay & recapture Sonoma, but was unable to do so - On June 30, he retreated to Santa Clara, where, he issued orders to the Mayor of San Jose to let the men there march to Santa Clara at once and arm themselves at the arsenal. Castro left Santa Clara the first week in July - No one knew what to do, or who was in power.



P. 8. Ide, ambitious, had wanted to extend the Bear flag south, but Fremont, aware of Castro's presence in Santa Clara counsiled the use of caution and feared the consequences of sending re-enforcements to the Americans at San Jose.

~~Lieut~~ Capt. Shos. Fallon, who had been brought up from Santa Cruz on Fremont's advice and Capt. Weber (Weber had formerly been in the Mexican Army under Sanchez and had refused a Captaincy when offered one by Castro) had secretly tried to raise a band of settlers to co-operate with the Bear Flag Party + to protect the American families at San Jose. Fallon raised some 20 men - Weber, however, had ill luck. Castro became aware of what was going on, and when Weber went to San Jose, he was told the Alcalde wished to see him. Suspecting nothing, he went to the Juggado, where he was made prisoner. Because of a personal friendship with Castro, his life was spared, but he was escorted south to the Rio Grande - and then left to return alone - if he dared!

Castro's men, who saw the band -



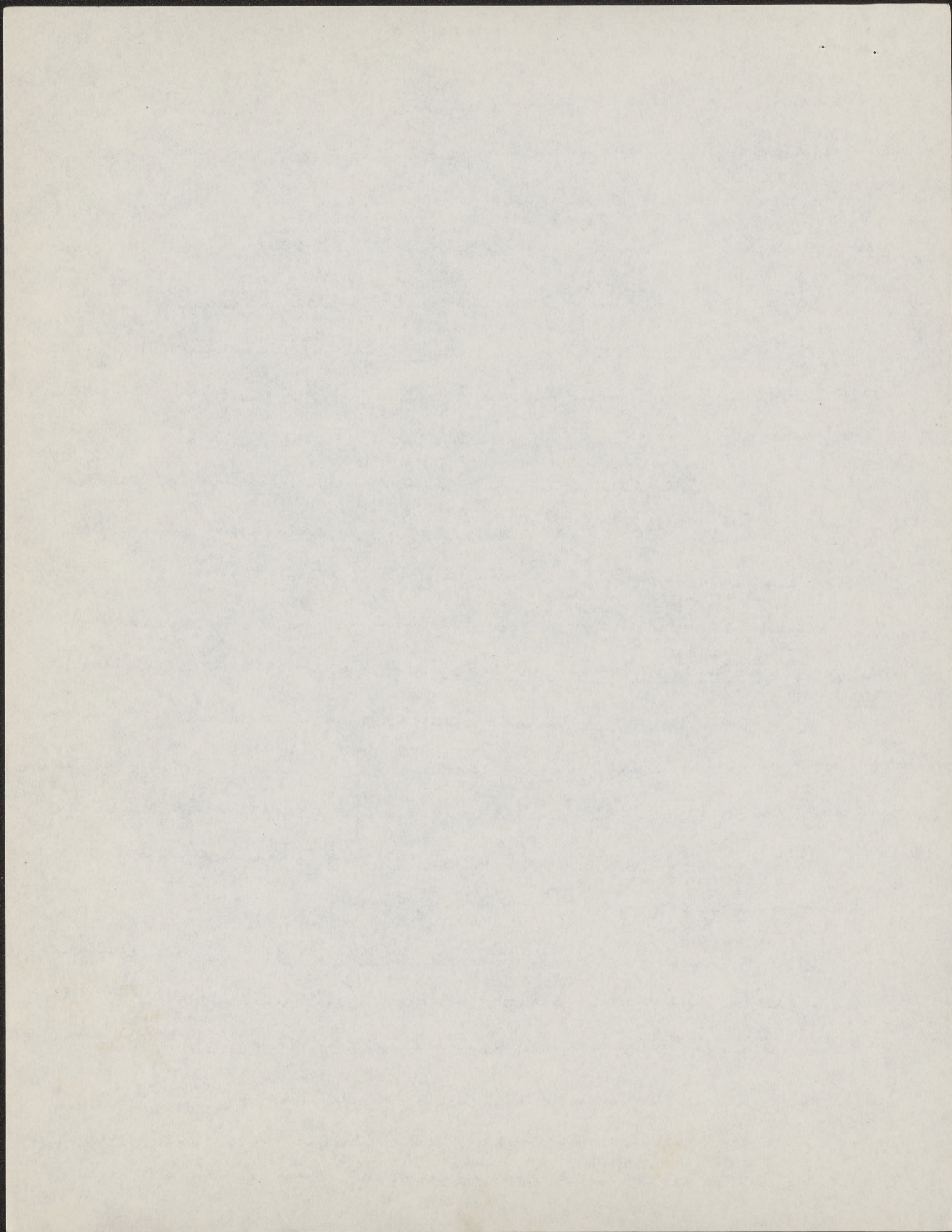
Writing on the wall, began to desert him. He retreated Southward arriving at San Juan July 8. Next day he started for San Diego, passing thru San Luis Obispo.

On July 10 - after Sloat's flag raising at Monterey - Fremont hoisted the stars & stripes at Sonoma & 2 days later left that place with 176 men in pursuit of Castro. Passing through San Jose, ^{when the flag was now waving,} he reached San Juan Bautista on the 17th where he also raised the American flag. The company reached San Diego the 29.

~~(It is not clear why Fremont did not raise the flag at San Jose on his trip through that town)~~

It was reported that Castro had cached a number of guns near San Juan, therefore on the 17th, D. Fancher, Surgeon of the "Savannah," was sent with a troop of marines to reconnoiter between that town and San Jose. (San. H. of C. #261.)

Meanwhile the Americans at San Jose were eager to revolt. Thos Fallon announced that he was ready to raise the American flag at the pueblo whenever it was wanted. Commander Montgomery said it could be done whenever there were enough Americans there to defend it. San Jose now

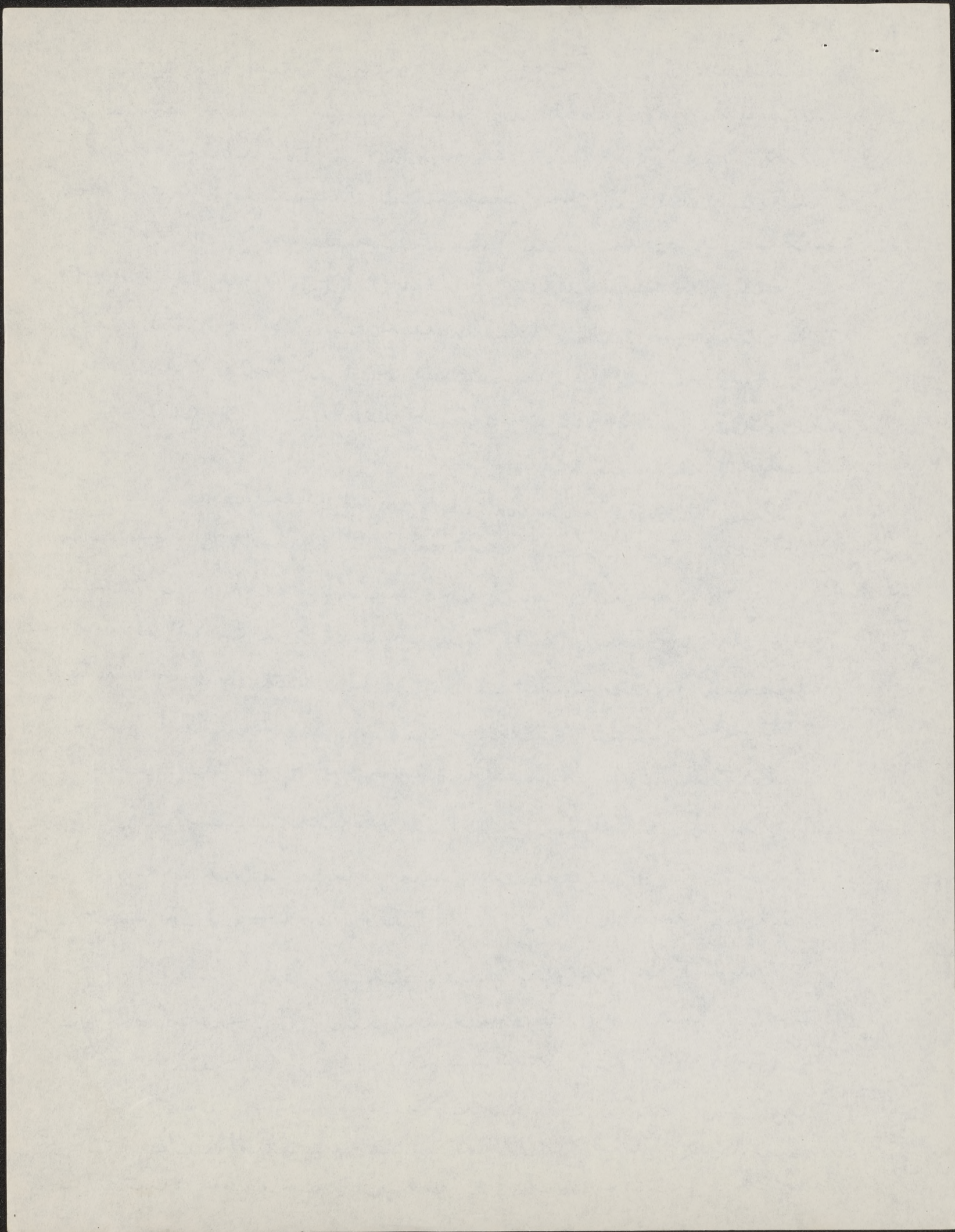


increased her force to 40 men. Still no fear appeared. The settlers grew impatient, & when Fallon heard that so many of the "foreigners" wanted a flag, he presented them with one and raised it over the courthouse on July 13, 1846.

A few days later, Fallon left to join Fremont at San Juan, and an American "justice of the peace" was appointed to preserve order. The Mexican Alcalde, Dolores Pacheco, declined to serve under the new regime.

What time?
Nov-1846
The Californians, angry at these events gathered in force outside the pueblo. It was thought wise to wait for reinforcements before attacking the Mexicans, but one Capt. Burroughs became exasperated and ordered his men to attack. The Californians, mounted, retreated one hundred yards & suddenly turned & charged the Americans with lances. The Americans retreated after firing a volley, but they reloaded sooner than the Mexicans expected, and stopped the charge - routing them completely. Burroughs, however, was killed.

Fremont came to San José as soon as he heard of this, but no further outbreaks occurred. Weber took a small force up into the

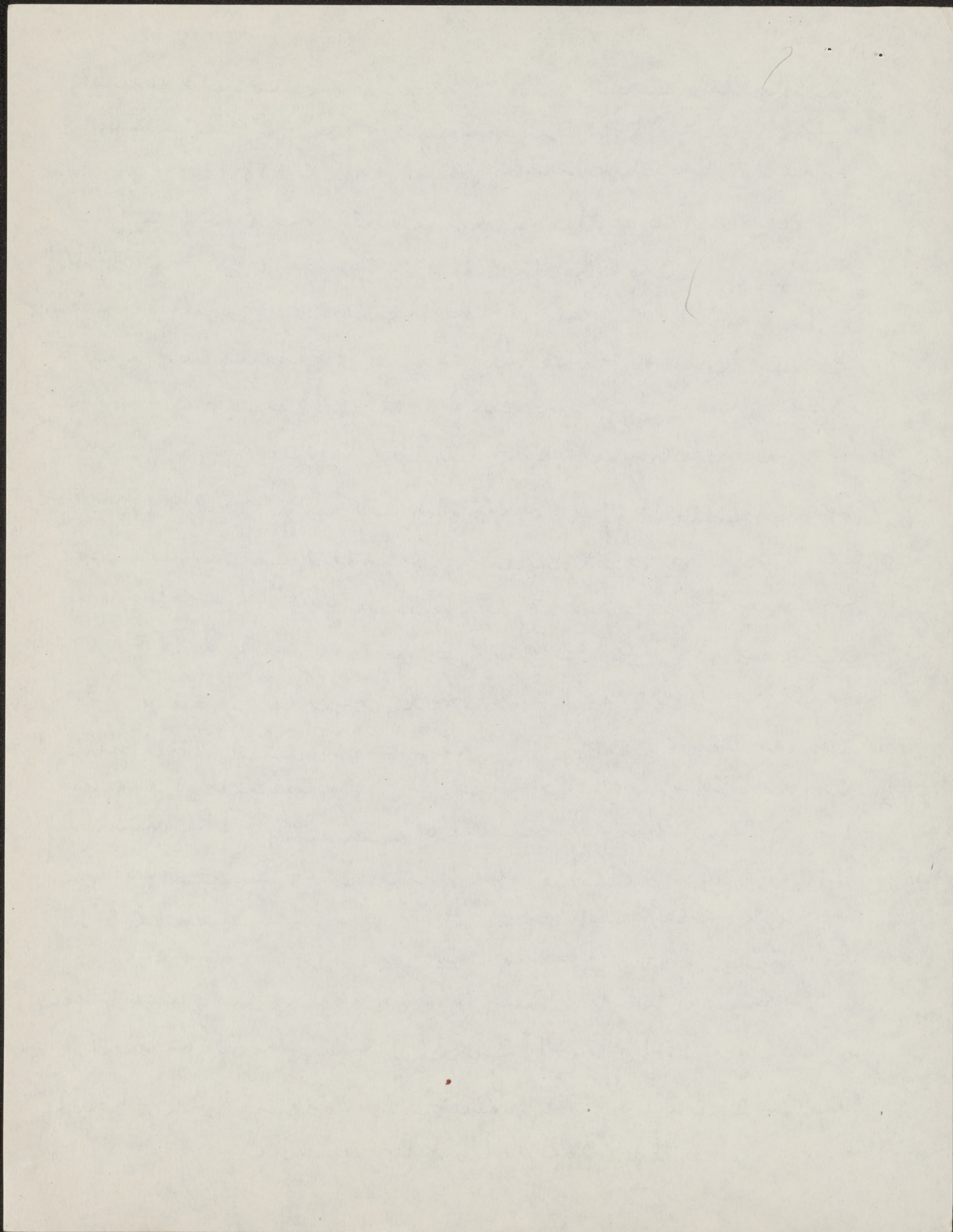


hills to guard 300 + hundred horses which belonged to the Americans, + which he feared might be captured. (San. H. & C. V. 358.)

Resenting the Americans' method of "buying" supplies for the army "a la Fremont," i.e. just helping themselves, many innocent rancheros rose in arms. Resenting the great losses of horses + cattle, Francisco Sanchez, a ranchero living in the upper part of Santa Clara Valley, organized a band of Californios, and surprised Lieut. Bartlett, acting alcalde of San Francisco, on such an expedition. He and his 5 men were captured and held prisoner. This was done as a retaliatory measure on Sanchez's part; he merely wanted the men as hostages to be held as guarantees of security of the Californians' property. The military at S.F., as well as the settlers at Santa Clara + San Jose, regarded it as an inexcusable, hostile act. (Aldredge - Hist. of Cal. iii, 96.)

p. 12.

James Alexander Forbes, acting English Consul, was friendly with Sanchez + his men. He went to them, carrying the British colors in his hand, and requested Bartlett's surrender.



Sanchez agreed to let him go in the custody of Forbes, if he was not allowed to return to the American forces. He also said he would exchange Bartlett + the 5 men if Capt. Weber would be delivered into his hands. This, the Commander at S.F. refused to do + Bartlett was given back to the custody of Sanchez, (San Jose Pioneer - (article) July 3 - 1880.)

The threatened attack on San Jose - (See Hall's History of San Jose.)

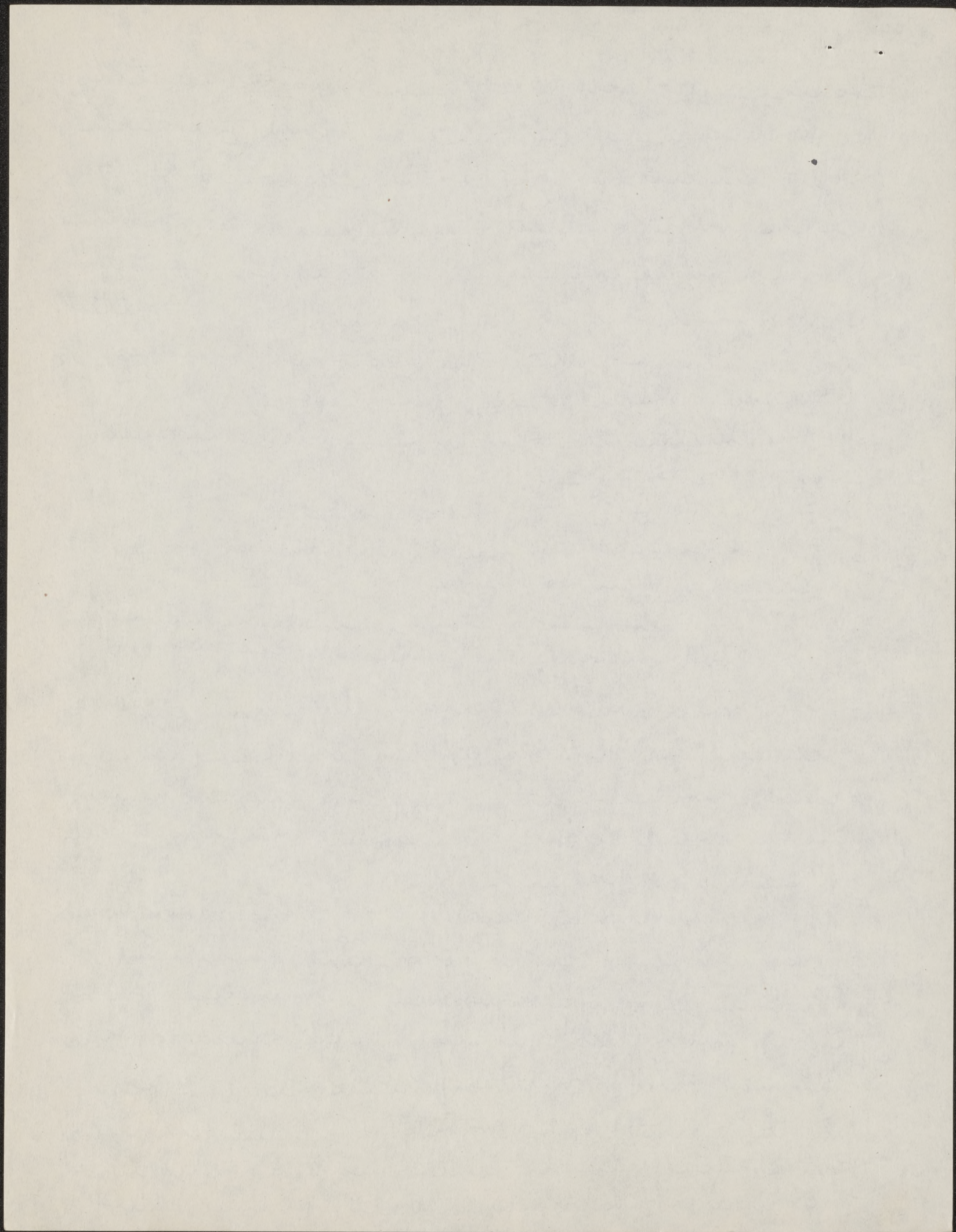
Battle of the "mustard stalks".

P. 12-15 - Account is mainly the same as in Hall's History of San Jose -

Personnel of army, and brief summary of Gov't following the Conquest of California.

P. 15 - The men who comprised the "army" that overthrew the Mexican authority in Calif. were not trained soldiers - rather they were ranchers, miners and the motley crew of immigrants who came to Calif. in search for fortune.

The garrison at San Jose was, it is true, ^{was} composed of a number of sailors + marines under Lieut. Pinkney - also a company of volunteers under Capt. Weber that comprised a few trained + semi-trained men - military headquarters were in the court house, which was crudely fortified. The soldiers had no uniforms, but for the most part wore broad-brimmed hats, flannel shirts



and buckskin pants. In his leather girdle, he usually carried a bowie or sheath knife, with which he was past master, and a brace of pistols - many were skilled, as were the Mexicans, in the art of throwing the knife at a great distance with deadly accuracy and effect.

The Cavalry, mounted on both horses and mules of varied sizes and colors presented a somewhat motley appearance - in all styles of dress and bearing all kinds of arms - from the flintlock to the modern cap & ball rifle, and from German broadswords, that resembled corn cutters to French duelling rapiers. But the cavalry was effective. (Bryant, what I saw in Calif. 317.)

P16

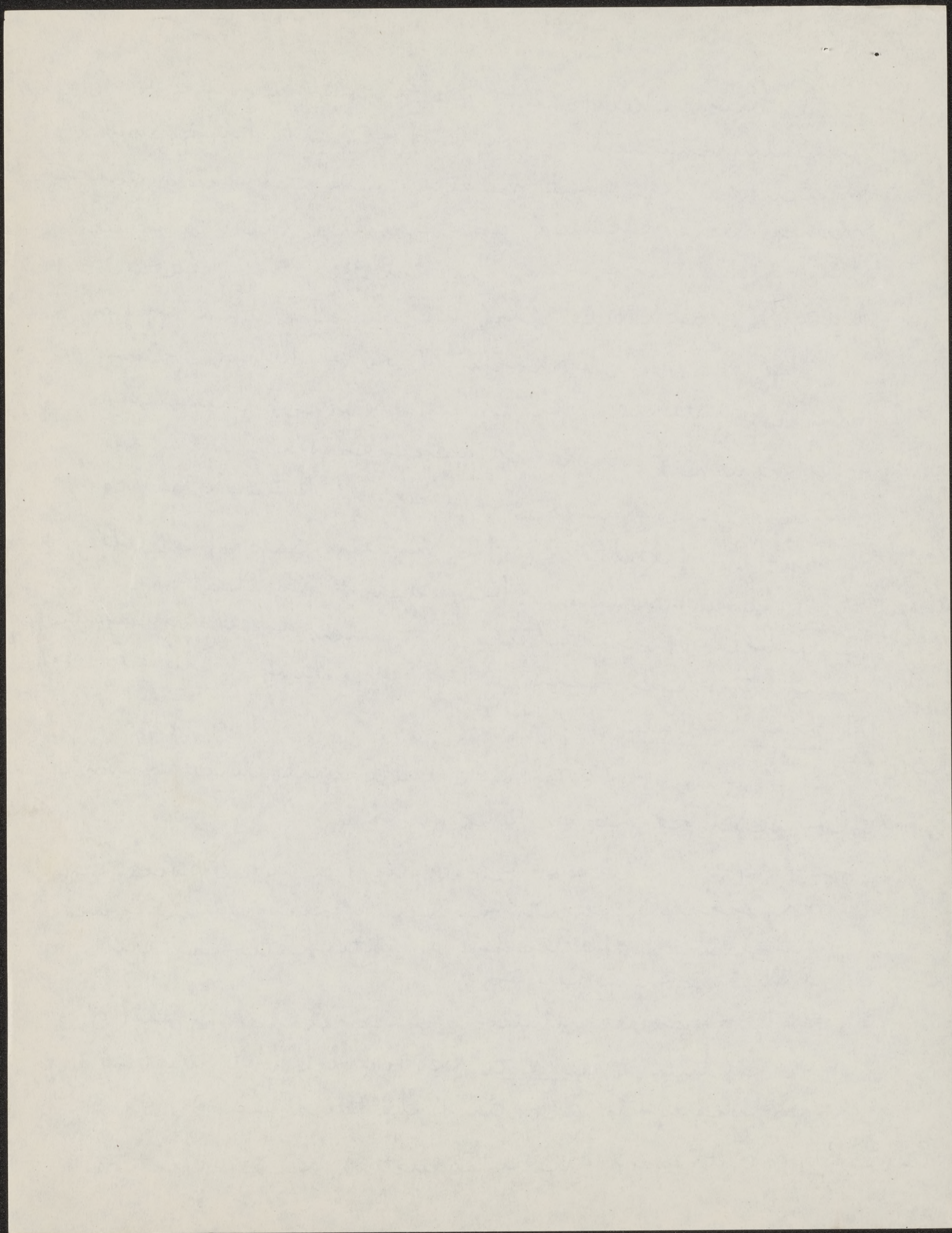
From 1846 to 1865, there were three chronological periods. The first:-

1845-'48; military occupation was in force, and Mexican institutions were observed in accordance with the usage of international law.

The second period:

1848-'50; Said institutions were retained as part of a system of de facto provisional govt, waiting for Congress to act. And the third period:

1850-'65; Witnessed the introduction and operation



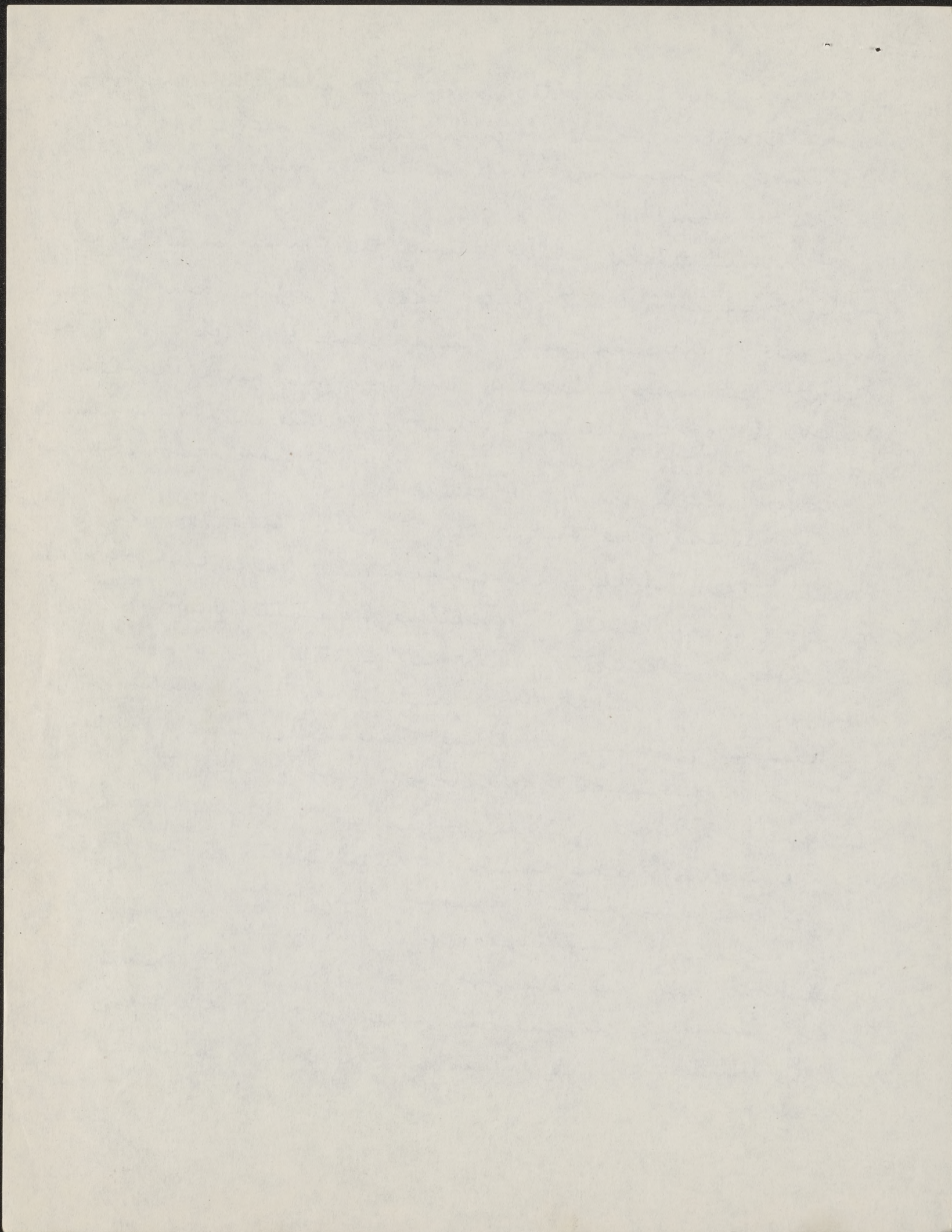
of American institutions. In the first period, opposition to local government merely took the form of criticism, while in the second, definite action resulted.

Immediately after raising the American flag, all Mexican authority ceased, and only those in most necessary & immediate positions were kept. It was a time of lawlessness and lawlessness. Despite the fact that a military commander was in control, there was a hopeless confusion and no cooperation.

Riots rose out of the unsettled state over land titles. Titles were forged and rightful owners put off their land. Squatters squatted on old California estates, and held their claims by right of might and anti-Mexican sentiment.

Cattle & horse stealing increased. Lack of proper laws, ignorance of Mexican laws and the unwillingness of Californians to comply with American-made laws, all culminated in a great dissatisfaction among the people.

The Treaty of Guadalupe, signed Feb 2, 1848, but conditions did not improve in Calif for a great many years. Several generations were to born & die before all the bitterness and heartburning was to be wiped away -



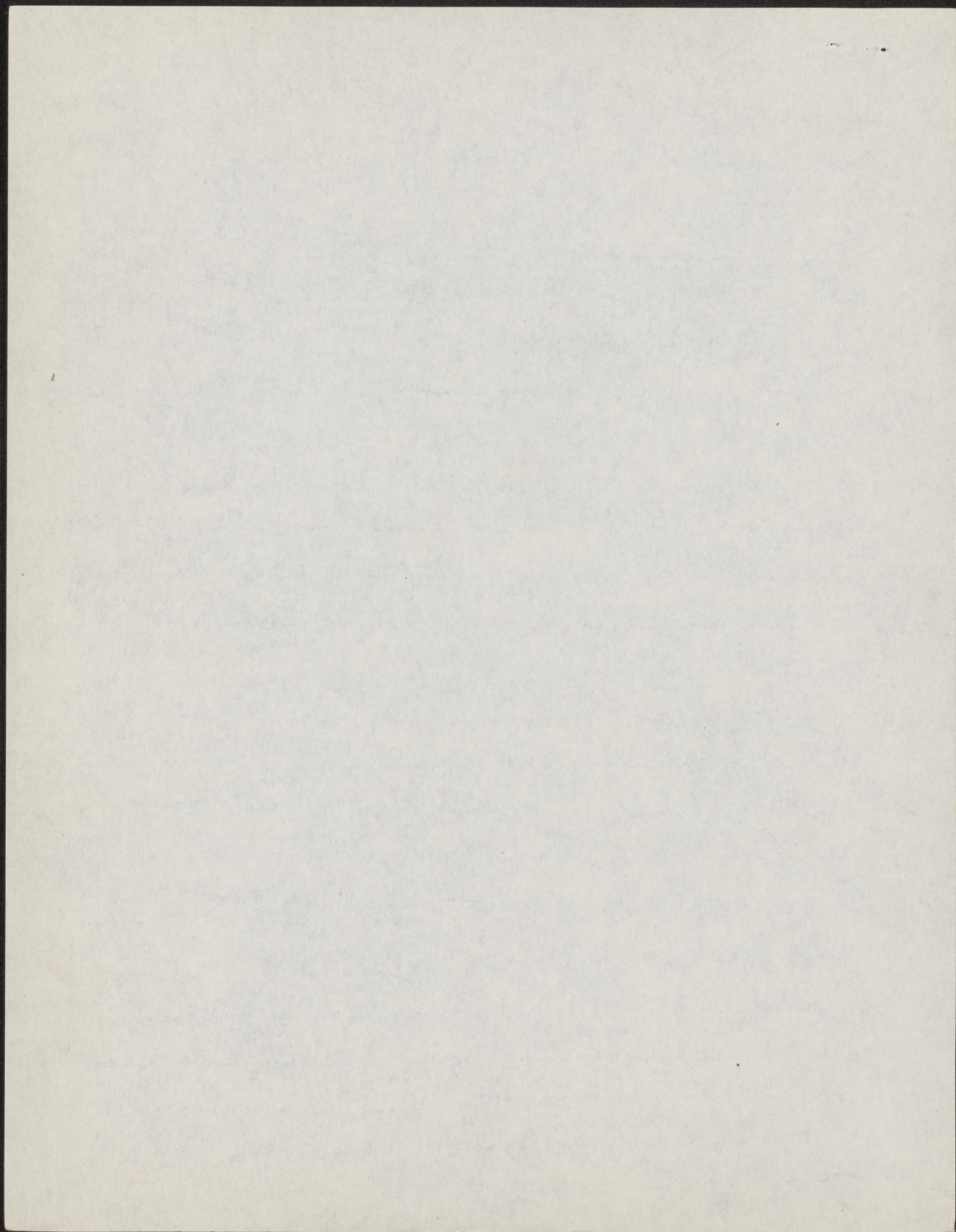
Brief outline of San Jose + vicinity - the people - habits - government etc. - before the conquest.

P. 16.

The Santa Clara Valley extends from the southern end of S.F. bay southward ~~to~~ to the Gabilan mts, over 25 miles south. Two ranges, the Santa Cruz and the Diablo mts ~~enclose~~ ^{surround} it and it varies in width from 3 to 25 miles. Its climate is mild, its soil deep & fertile and abundant water runs from nearby hills. All this was a great inducement to the early Spaniards who came to transplant their civilization among that of the native Indians.

Strangely enough, in this same region where the Spaniards had established 3 missions and a pueblo, and had held sway over extensive ranchos, - there in 1846, they were to make a last desperate stand against a new strange people -

Gradually, after the occupancy, a change took place. A county was organized; the alcalde became mayor; the Ayuntamiento, the Town Council and the Pueblo de San Jose de Guadalupe, the City of San Jose.

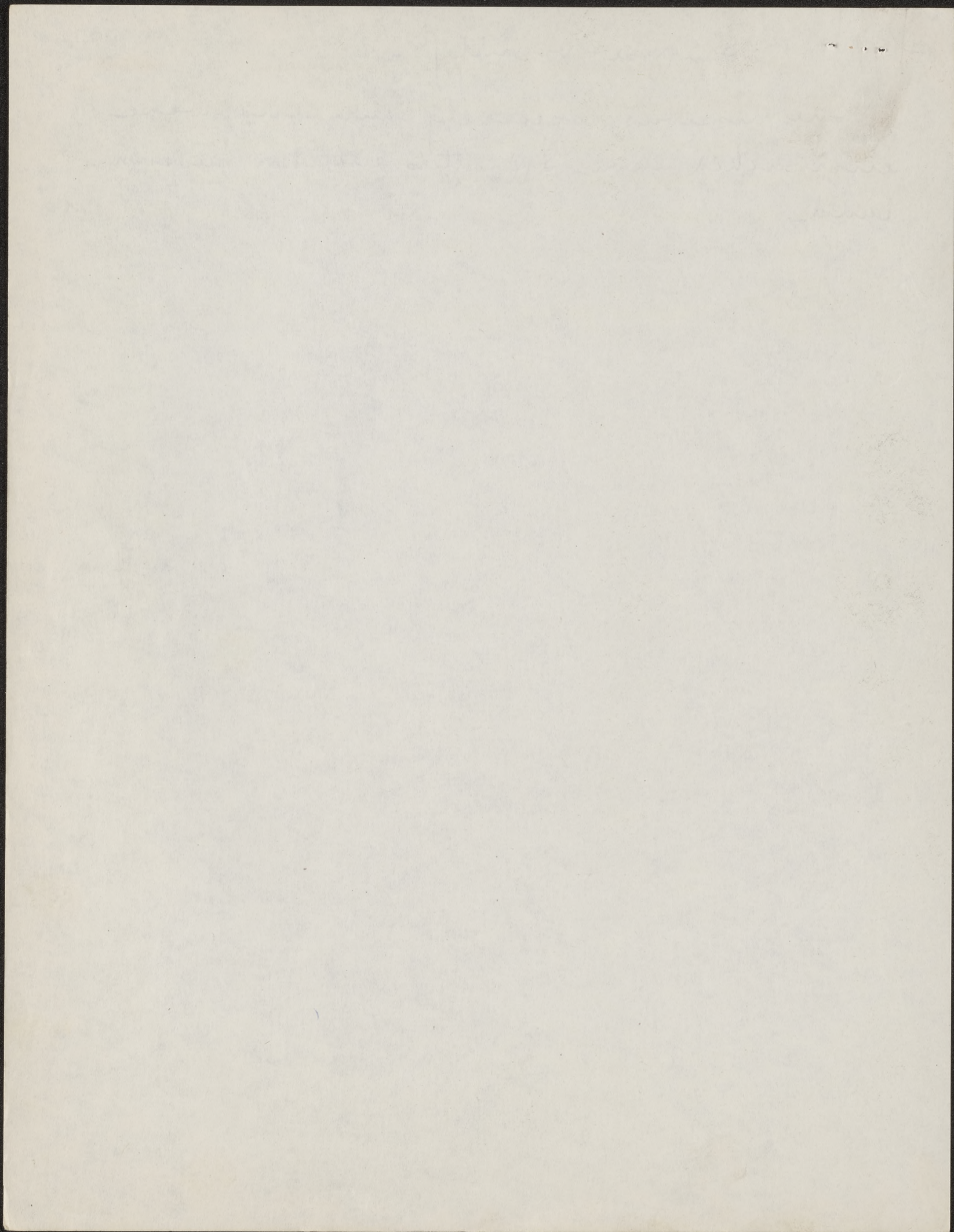


B.R. -

San Jose + vicinity -

- 2

The missions, especially Santa Clara, were
encroached upon - Squatters settled on mission
land -



COUNTY <u>Santa Clara</u>	REG. NO. <u># 260</u>	LIBRARY <u>U.C.</u>
NAME OF LANDMARK <u>Armistice Oak Tree Site</u>		F 864
AUTHOR <u>Swasey W. F.</u>		S. 8.
TITLE <u>The Early Days and men in California.</u>		X
VOLUME _____ NO. _____	PAGES <u>54, 68, 105, 127.</u>	
CITY OF PUBLICATION <u>Oakland</u>	DATE OF PUBLICATION <u>1891</u>	

P. 54. Takes issue with Bancroft for calling the Bear Flag Party a bunch of "reckless, daring + unprincipled men." Denies they were "political adventurers and vagabonds."

Charges that Bancroft's Boaks fairly "reek" with "extravagant, outrageous + unjust aspersions."

68. Says Burrongh's men taunted him with cowardice and forced him into an unequal battle at Natividad - on Nov 16 - 1846.

105. Fremont arrived at Sutter's Fort Dec 9, 1845. On Jan 25, 1846, he was at Yuba Buena. At Monterey at end of January. Castro readily granted him privilege of staying in Calif. Mar 5 - Chavez brought a note from Castro to leave.

(Upholds Fremont for the stand he took - Says Castro broke his word for no reason.) Attacks Bancroft again for his version of the episode.

127. Says the letters found in the boots of the Captured Bermyessa + Haro boys were genuine + Castro was really planning to attack Sonoma.

(A Book that disagrees in a particularly disagreeable manner with Bancroft + other accepted works.)

LIBRARY

NO. 101

COUNTY

NAME OF LIBRARIAN

ADDRESS

CITY

PAGES

NO.

VOLUME

DATE OF

PUBLICATION

CITY OF

PUBLICATION

COUNTY	<u>Santa Clara</u>	REG. NO.	<u>#260</u>	LIBRARY	<u>✓</u>
NAME OF LANDMARK	<u>Armistice Oak Tree Site.</u>			<u>u. c.</u>	
AUTHOR	<u>Fremont, Frank Gilbert</u>			<u>308t</u>	
TITLE	<u>History of the Santa Clara Valley - Mexican Period - (a thesis) for M. A. degree.</u>			<u>T 789.</u>	<u>X</u>
VOLUME		NO.		PAGES	<u>172-79.</u>
CITY OF PUBLICATION	<u>Berkeley</u>			DATE OF PUBLICATION	<u>1923</u>

Fremont
 Castro.
 Description of Santa Clara Valley.

LIBRARY

REG. NO.

COUNTY

NAME OF LAWYER

AUTHOR

TITLE

PAGES

NO.

VOLUME

DATE OF

PUBLICATION

CITY OF

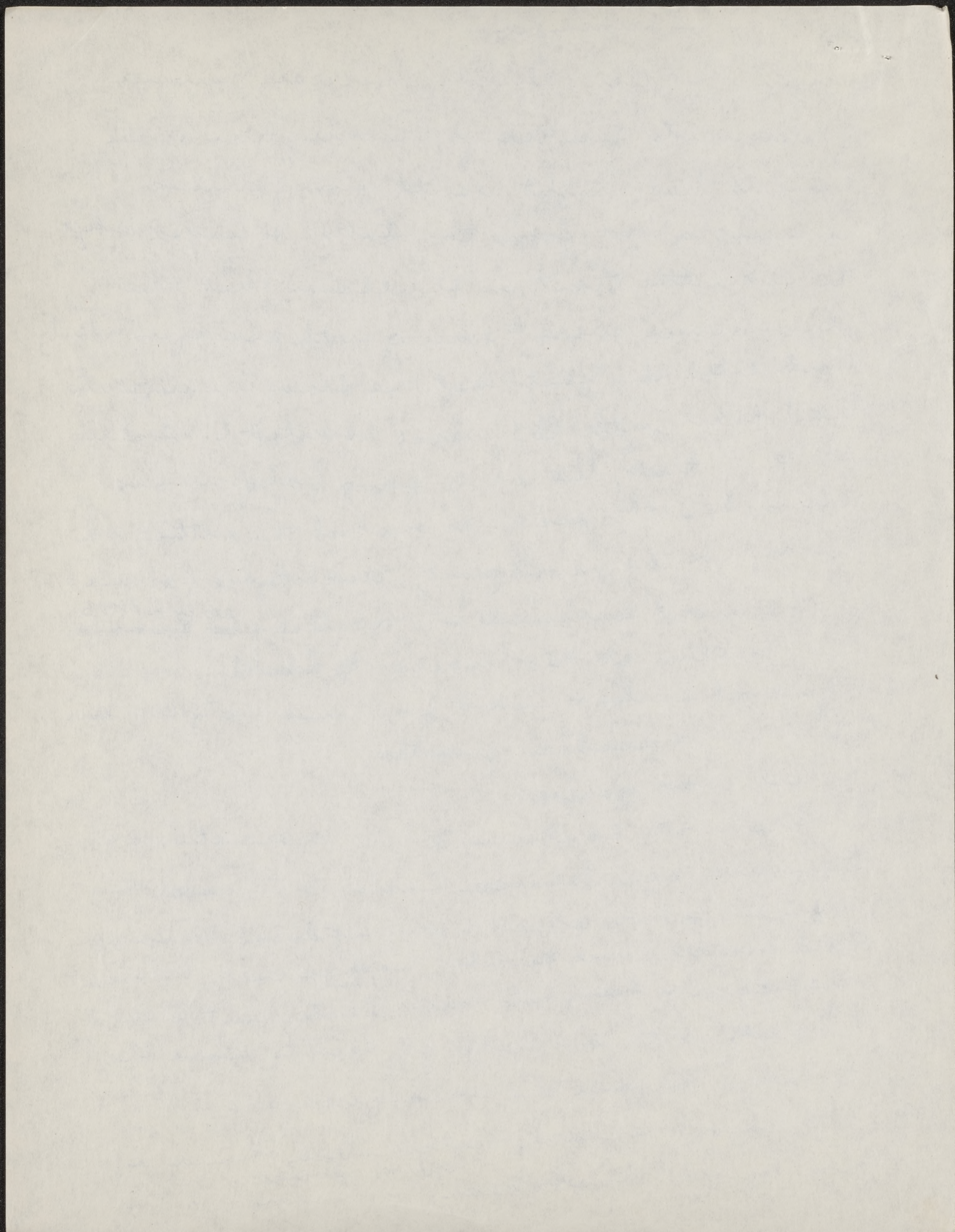
PUBLICATION

172 - In 1841, Gen. Almonte, Mexican Minister of War wrote Gen. Vallejo, warning him of the dangers that might result from families immigrating from the states. He urged Vallejo to put little trust in the claim that the Americans were coming with peaceful intent, and cited the fact that the Texas immigrants had come with the same assertion. But in spite of this, the easy-going Californians showed little desire to molest the settlers, who were, for the most part, respectable farmers.

175 - Fremont arrived at Monterey ^{early in 1846} ~~in March~~. He explained his mission to Larkin and General Castro & asked for permission to remain. This was readily granted. All was serene.

Fremont continued his explorations & camped near Salinas. Castro mistrusted his explanation about a geographical survey and besides some trouble ^{early in March} had ensued between Mexicans & Fremont's men. Castro sent Lieut. Chavez with an order for him to leave the Valley - or face the consequences.

176 - Fremont refused, entrenched himself on a knoll (Hunk's Peak) ^{or Mt. Gavilan} and ran up the

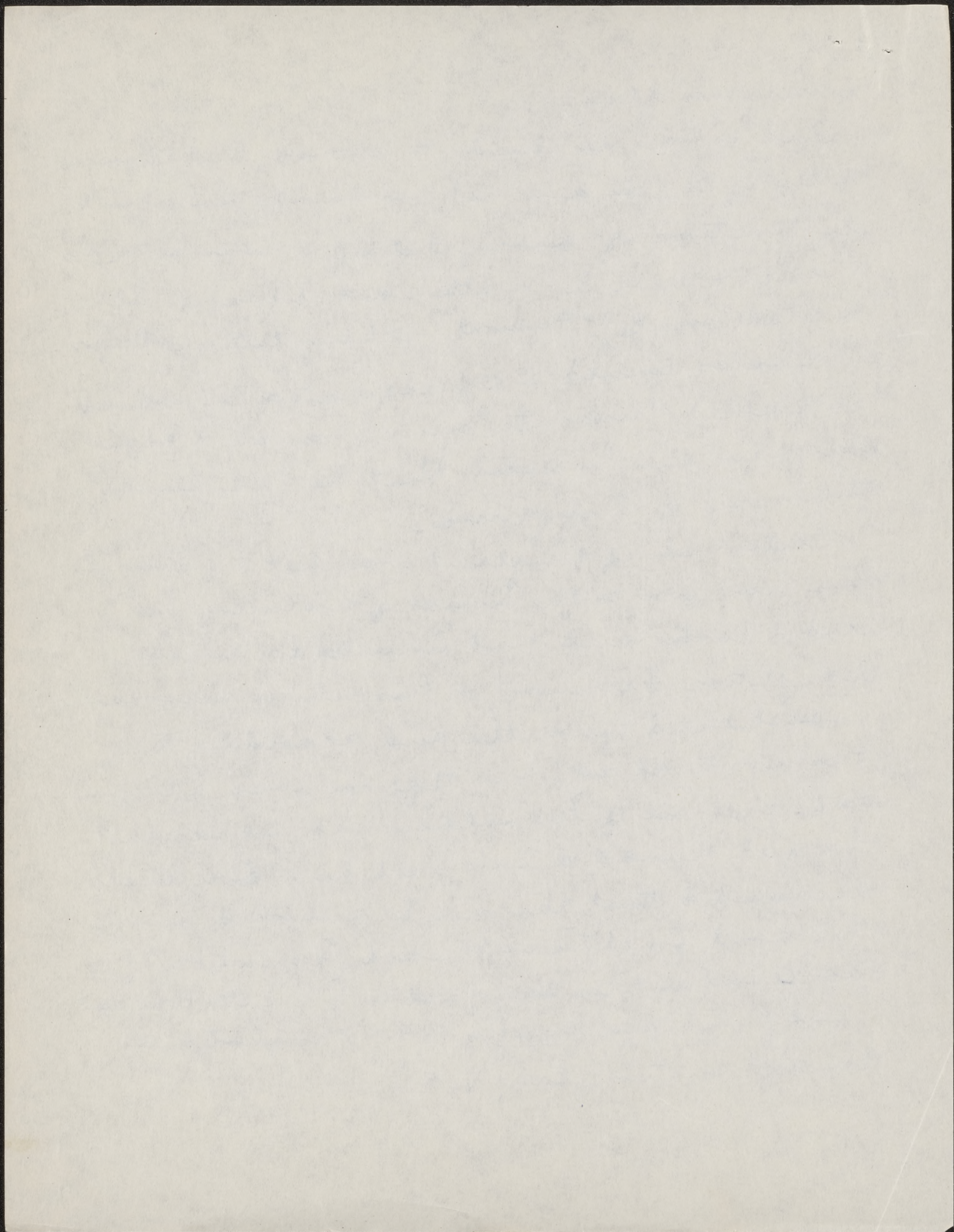


American flag.

Castro made ready to attack, but thought better of it. (He did not relish the doubtful distinction of precipitating a war between Mexico & the U.S. neither did Fremont. It was a stale-mate). Fremont left 3 days later - for Oregon.

177. Castro issued a proclamation in which he called Fremont's men a bunch of high-waymen and boasted that he had driven them out of California.

Castro's chief complaint was that 3 of Fremont's men had gone to the house of his uncle, Don Angel Castro and had insulted Don Angel's daughter. Fremont, on his return, personally investigated the matter, and, according to Fremont's story, the offense was a trifling one: that one of the soldiers had insisted that the girl have a drink with him. Don Angel demanded that the men be punished and Fremont fined them \$5 each. (From a letter of Thos. O. Sarkin to the Secy of State in J. M. Cutts, Conquest of Calif and New Mexico, 144-45, as quoted in Bancroft. History of Calif, V, 5.)

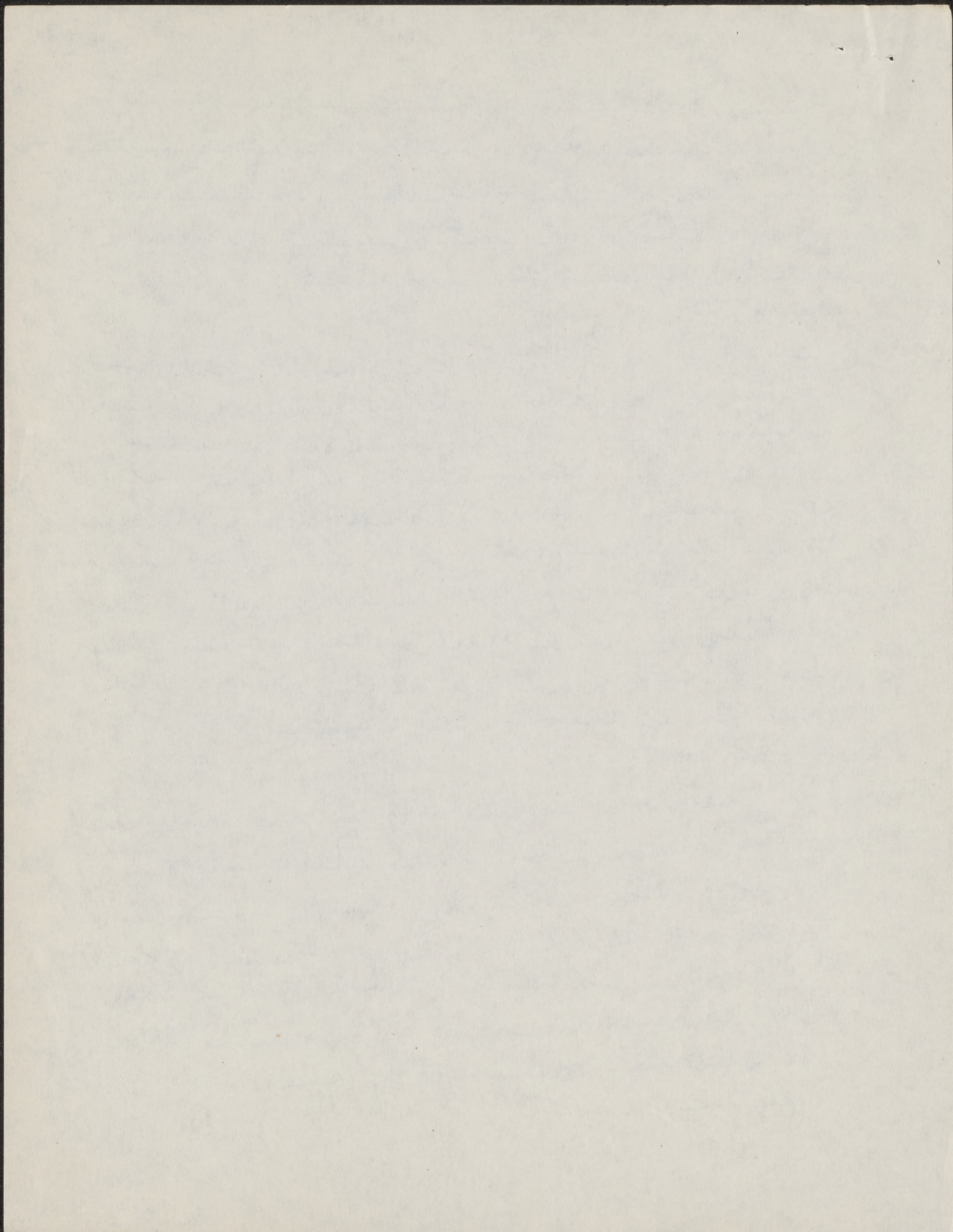


178- Fremont, instead of taking the direct route to Oregon, marched his whole company across the Santa Clara Valley + up into the Santa Cruz County by way of Los Gatos - Castro deemed this ~~as~~ a violation of Fremont's agreement.

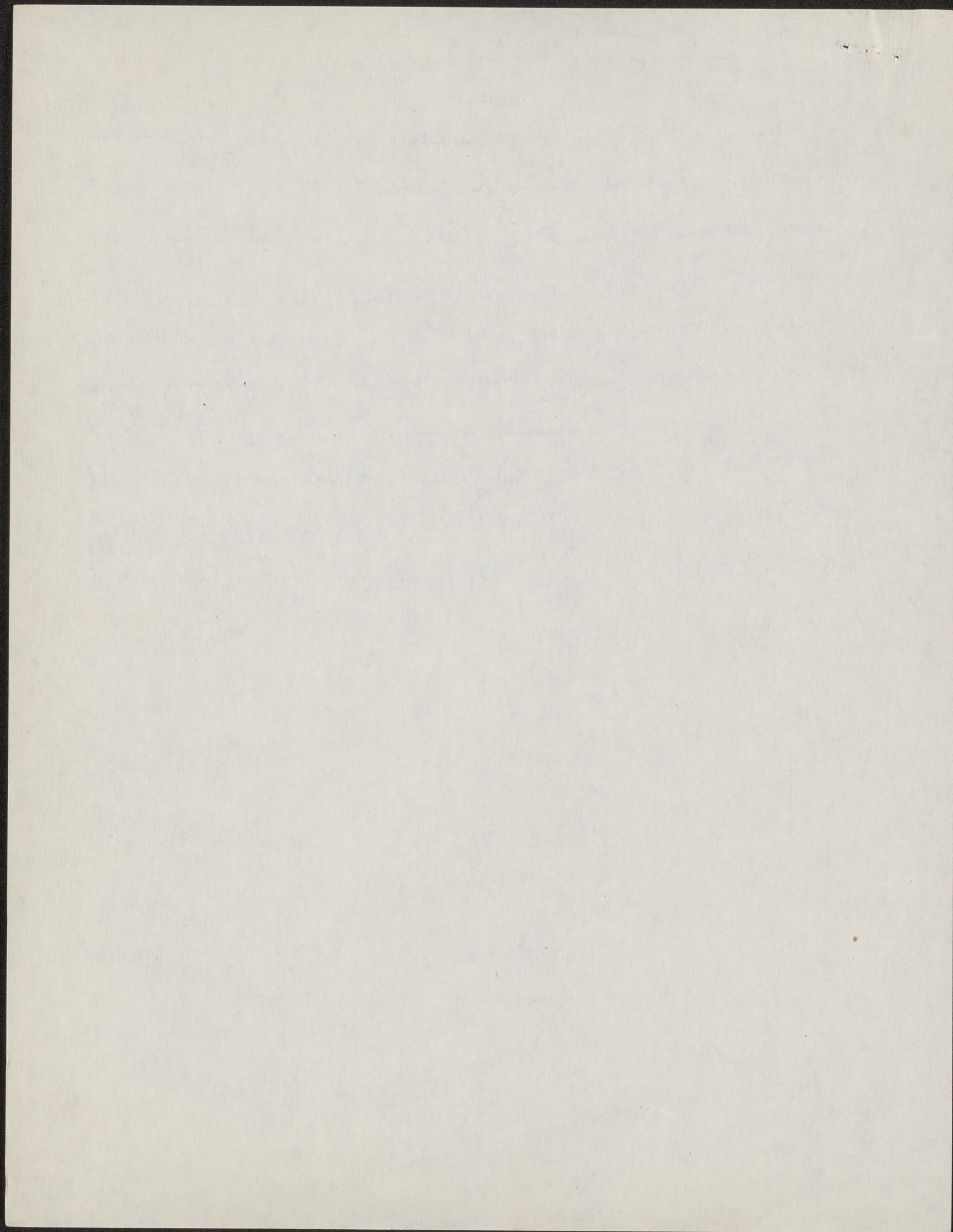
Bancroft says -

"By this very action he (Fremont) had broken his agreement with the authorities, and had forfeited every right conferred by Castro's promise. -- His march to the coast without permission was an insult and a menace to the Calif. authorities, who, in view of rumors of war, would have been justified in manifesting a greater degree of alarm than they did at seeing an armed force of 60 men marching through the country." (Bancroft, ibid. - V, 5.)

179- The question of safety, with all the Americans in the country, became a vital one to the Californians. Pio Pico + Castro uncorked the wrath that had long been brewing against the Americans - Pico believed that, if Calif. must change rulers, it had much better be Britain - many others shared this opinion. un



A narrow plain of rich soil lying between equally fertile ranges from 2000 to 3000 feet high, covered on one side with wild oats and wooded on the range toward the sea. The valley is openly wooded with groves of oak, free from underbrush, and after the spring rains, covered with lush grass. On the west it is protected from the chilly influence of the north-west winds by the "Cuesta de los Galos" (Wild Cat Ridge) which separates it from the coast.



COUNTY Santa Clara REG. NO. # 260

LIBRARY

NAME OF LANDMARK Armistice Oak Tree Site

U.C.

AUTHOR Tuthill, Franklin

F861

TITLE History of California--

T9

Case B.

VOLUME _____ NO. _____ PAGES 162-75

CITY OF
PUBLICATION San Francisco

DATE OF
PUBLICATION 1866.

LIBRARY

RECEIVED

COUNTY

NAME OF LIBRARY

ADDRESS

CITY

DATE

BY

LIBRARIAN

DATE

CITY

LIBRARY

LIBRARY

B.R.

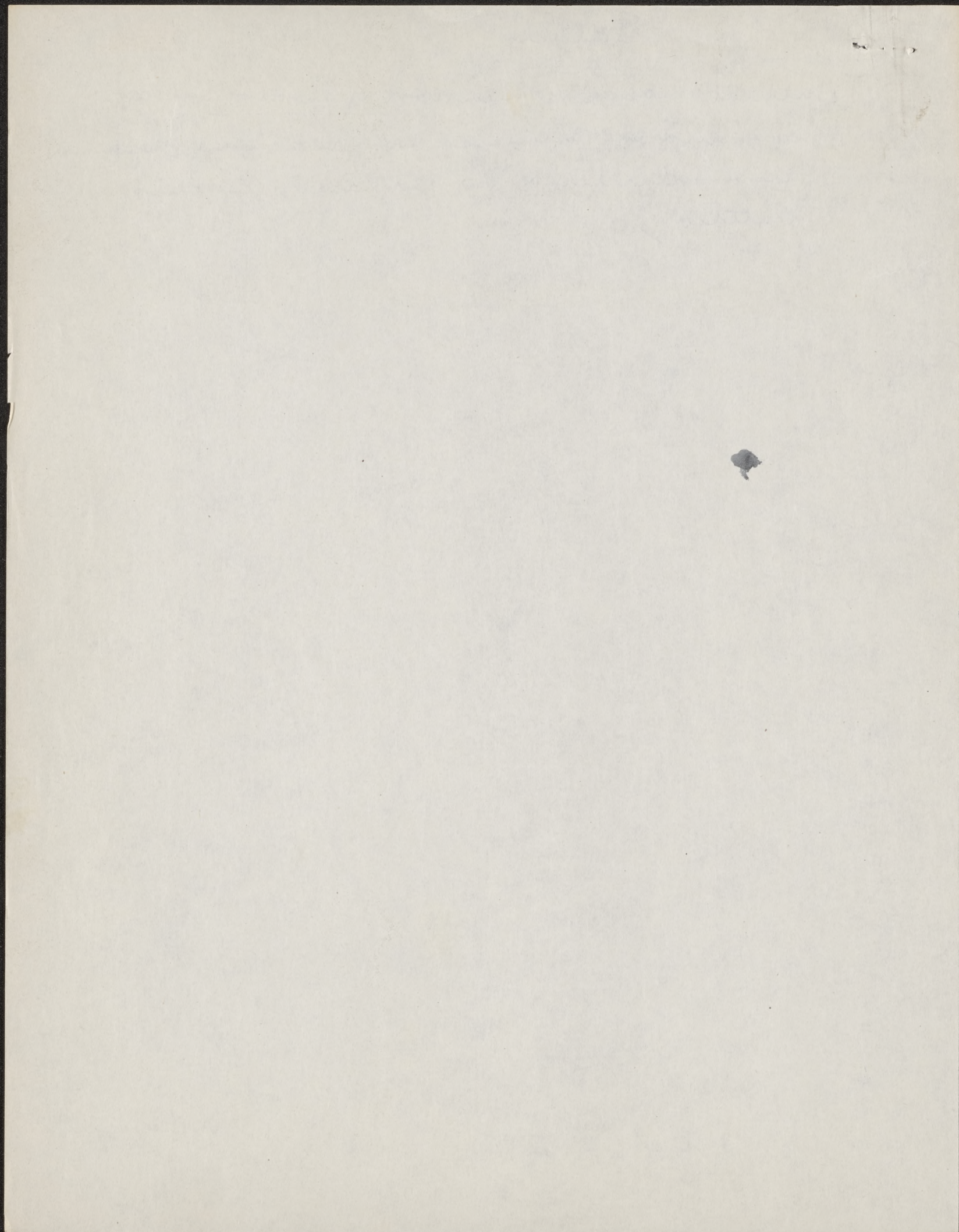
162. Iutbill says that Fremont reached Calif early in march & went immediately to Monterey to see Castro - (which is in variance with Fremont's own account.)
[It was early in march when he went to see Castro, however - nearly all historians agree on this point]
163. Castro refused to put his permission for Fremont's stay into writing - He pleaded "sickness," but gave the word of a "Mexican soldier," which, he said, "was his bond."
172. A blacking brush and a pot of berry-juice and a flour sack was used to make the Bear Flag -
172. Says: After the Bear Flag episode, a gang of Mexican "desperadoes" under Padilla captured & tortured to death 2 young Americans - Lieut. Ford - a settler - was sent out with 21 men to punish Padilla - Padilla was reinforced by Lieut Capt. de la Torre & the enemy now numbered 86 men - Ford beat them - Killed 8 & wounded two with no loss of men -

BR

Luthill

- 2

[Luthill makes no mention of the two Haro boys and the Benyessa boy who were captured and murdered by Kit Carson in this "battle."]



COUNTY <u>Santa Clara</u>	REG. NO. <u># 260</u>	LIBRARY <u>U.C.</u> ✓
NAME OF LANDMARK <u>Armistice Tree Site.</u>		F 1213
AUTHOR <u>Wise, Henry Augustus</u>		W 48
TITLE <u>Los Gringos.</u>		Case B.
VOLUME _____	NO. _____	PAGES <u>42, 45-6.</u>
CITY OF PUBLICATION <u>New York</u>	DATE OF PUBLICATION <u>1850.</u>	

Preface - The term "gringo" is defined as a rather reproachful term used to designate the descendants of the Anglo-Saxon race in California and Mexico.

The definition of the word is somewhat similar to our term: "Greenhorn."

42. June 13, 1846 - Describing the "Bear Flag" incident - "The attack (on Basse + Castro's horses) was composed of a few lawless brigands, who, carrying a white banner with a red border and grizzly bear*, styled themselves the "Bear Party." altho of all nationalities they referred to themselves as citizens of the United States. After stealing the horses, their number was increased to 40 or 50 men - - they committed excesses without the slightest authority - - for the love of fighting, and thieving on their own private accounts,

* Wrong! The bear flag came into existence after the seizing of Sonoma, according to many historians.

LIBRARY

REG. NO.

COUNTY

NAME OF JOURNAL

AUTHOR

TITLE

PAGES

NO.

VOLUME

DATE OF
PUBLICATION

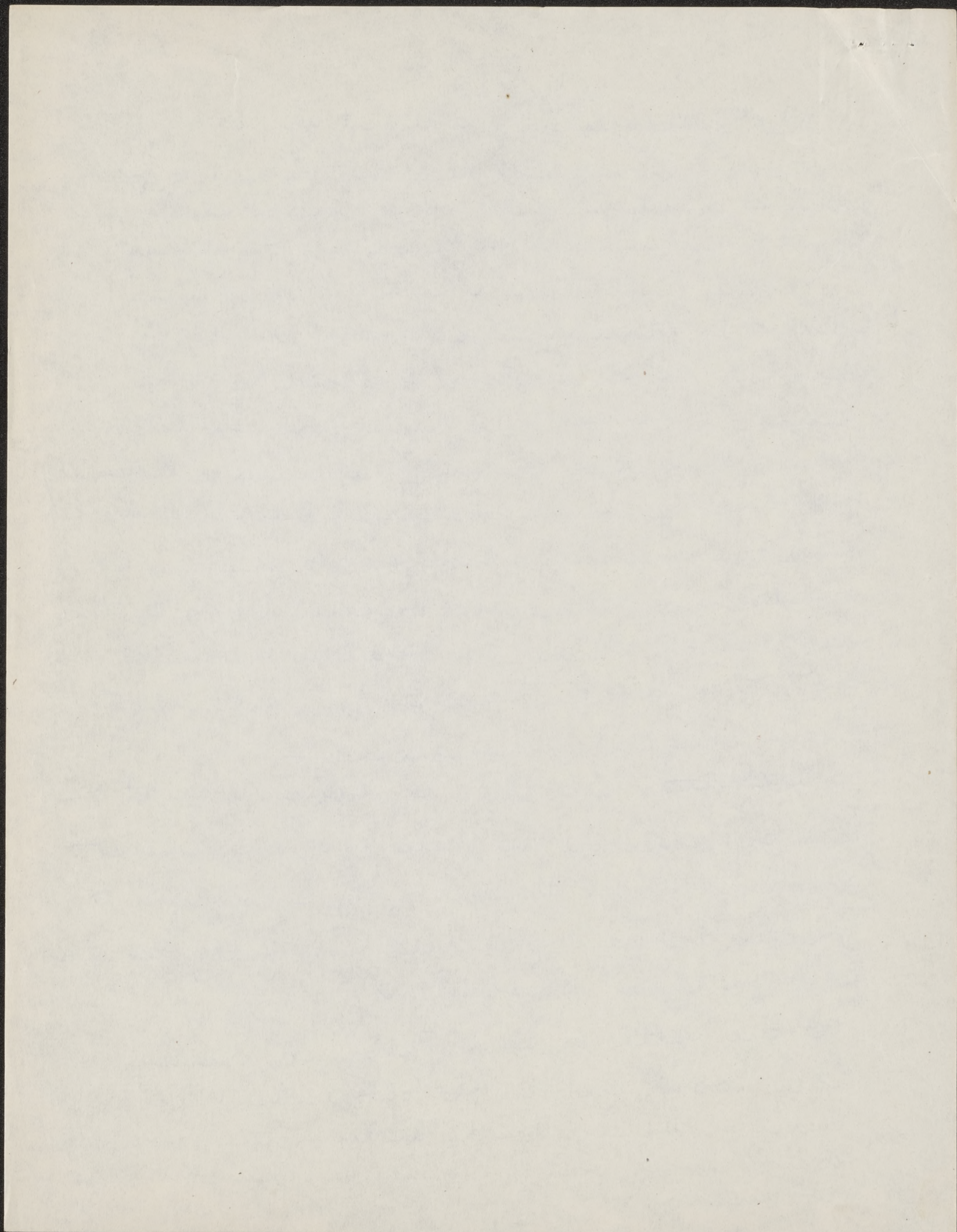
CITY OF
PUBLISHED FOR

45- The Californians, without arms, organization or competent leaders, on seeing fresh arrival of ships and troops appear along their coast, were induced to throw up the struggle.

Milder influences prevailed; steps were taken to tranquilize people's minds by a spirit of conciliation dictated by good sense. Useless and annoying restrictions were abolished, property returned or liberally paid for, prisoners discharged, parols annulled and the marines + blue-jackets playing at soldiers on shore, were ordered back to their respective ships. The Volunteers disbanded and both they and the Californians returned to their neglected ranchos—

~~all this~~. all this tended in a great measure to reassure the natives of an earnest endeavor on the part of the conquerors to make the new yoke rest as lightly as possible on their shoulders.

43. At the battle of San Pasquell, Kearny with 100 dragoons fought Andre's Pico's lancers. After a battle he drove the Mexicans away, but lost 18 men + as many more wounded.



43: On the 8th + 9th of January, 1847, Kearney and Stockton's combined forces defeated the combined armies of Manuel Castro and Andres Pico at the river San Gabriel and plains of La Mesa - The Mexicans had 500 men and 4 field guns. The Californians were put to flight after a bitter battle.

44. The leaders capitulated and an armistice, called the "Cahuenga Capitulation" was signed by Pico and Fremont - the latter arriving on the scene after the battle.

